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# The Gazette of India



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**No. 19] NEW DELHI, SATURDAY, MAY 7, 1960/VAISAKHA 17, 1882**


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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 27th April, 1960:—

Issue No.	No. and date	Issued by	Subject
85	S.O. 1008, dated 20th April, 1960.	Ministry of Information and Broadcasting.	Approval of films specified therein.
86	S.O. 1009, dated 22nd April, 1960.	Ministry of Commerce and Industry.	Appointment of persons as members of the Tea Board.
87	S.O. 1010, dated 25th April, 1960.	Do.	Appointment of persons as members of the Tea Board and amendments to S.R.O. 944, dated 17th March, 1954.
88	S.O. 1011, dated 26th April, 1960.	Ministry of Steel, Mines and Fuel.	Amendments to S.O. 842, dated 1st April, 1960.
89	S.O. 1074, dated 27th April, 1960.	Ministry of Irrigation and Power.	The States Reorganisation (Removal of Difficulties) Order No. 9 of 1960.
90	S.Os. 1075 and 1076, dated 27th April, 1960.	Ministry of Information and Broadcasting.	Approval of films specified therein.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—Section 3—Sub-section (ii)**

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).**

**MINISTRY OF LAW****ERRATUM**

*New Delhi-2, the 8th December 1959*

**S.O. 1086.**—In the Ministry of Law Notification No. F. 7(4)/59, dated the 11th November, 1959, published in the Gazette of India Extraordinary Part II—section 3—sub-section (ii) dated the 11th November, 1959, as S. O. No. 2538.

At page 761 in the fourth and fifth column under the heading "Part II—Result of counting".

- (i) for "valid votes on second sorting" read "No. of valid votes on second sorting".
- (ii) for "Tota" read "Total".

[No. F. 7(4)/59-Elections.]

E. VENKATESWARAN, Under Secy.

**ERRATUM**

*New Delhi, the 28th April 1960*

**S.O. 1087.**—In the Ministry of Law Notification No. F. 5(4)/60-Elections dated the 31st March, 1960, published in the Gazette of India Extraordinary Part II—Section 3—Sub-section (ii) dated the 31st March, 1960, as S.O. 841, at page 227, in the first line, for "(5) Shri Keshco Prasad Verma, Fafadih Ward, Raipur, M.P." read "(4) Dwibedy, Shri Bairagi, P.O. Deogarh, District Sambalpur".

[No. F. 5(4)/60-Elections.]

A. S. LOKANATHAN, Under Secy.

**MINISTRY OF HOME AFFAIRS**

*New Delhi, the 23rd April 1960*

**S.O. 1088.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendments in the Ministry of Home Affairs (Upper Division Clerks, Lower Division Clerks and Stenotypists-Hindi Teaching Scheme) Recruitment Rules, 1959, namely:—

In the Schedule to the said notification,—

- (i) against the entry "Upper Division Clerk"—

- (a) in column 7, for the existing entry, the following entry shall be substituted, namely:—

"Must have completed 18 but must not have completed 21 years of age.";

- (b) in column 8, for the words "Degree of recognised University" the words "Intermediate or Senior Cambridge or Higher Secondary Certificate or equivalent qualifications" shall be substituted;

- (ii) against the entry "Lower Division Clerk"—

- (a) in column 2, for the figures "22" the figures "30" shall be substituted;

- (b) in column 4, after the existing entry the following entry shall be added, namely:—

"(8 posts carry a special pay of Rupees 20 per mensem)".

(c) in column 7, for the existing entry the following entry shall be substituted, namely:—

"Must have completed 18 but must not have completed 21 years of age.";

(iii) the entry "Lower Division Clerk-cum-Steno-typist" and all the entries against it in columns 2 to 12 (both inclusive) shall be omitted.

[No. 3/12/59-H.]

GAJRAJ SINGH, Dy. Secy.

*New Delhi, the 29th April 1960*

**S.O. 1089.**—In exercise of the powers conferred by entry 3(b) of the table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government is pleased to specify Princess S. S. Padma Raje Kadam Bande, sister of the Maharaja of Kolhapur, for the purposes of that entry and directs that the exemption shall be valid in respect of 2 guns/rifles and 1 pistol/revolver.

2. This Ministry's previous notification No. 16/13/59-P.IV., dated the 19th October, 1959, is hereby cancelled.

[No. 16/9/60-P.IV.]

C. P. S. MENON, Dy Secy.

**S.O. 1090.**—The following Order made by the President is published for general information:—

#### ORDER

*New Delhi, the 27th April 1960*

A Committee consisting of 20 members of the Lok Sabha and 10 members of the Rajya Sabha was constituted in accordance with the provisions of clause (4) of article 344 of the Constitution to examine the recommendations of the first Official Language Commission and to report their opinion thereon to the President. The Committee submitted its report to the President on 8th February, 1959. The important points in the report indicating the Committee's general approach are as follows:—

- (a) The Constitution contains an integrated scheme of official language and its approach to the question is flexible and admits of appropriate adjustments being made within the framework of the scheme.
- (b) Different regional languages are rapidly replacing English as a medium of instruction and of official work in the States. It is but natural that the regional languages should secure their rightful place. The use of an Indian Language for the purposes of the Union has thus become a matter of practical necessity, but there need be no rigid date-line for the change-over. It should be a natural transition over a period of time effected smoothly and with the minimum of inconvenience.
- (c) English should be the principal official language and Hindi the subsidiary official language till 1965. After 1965, when Hindi becomes the principal official language of the Union English should continue as the subsidiary official language.
- (d) No restriction should be imposed for the present on the use of English for any of the purposes of the Union and provision should be made in terms of clause (3) of article 343 for the continued use of English even after 1965 for purposes to be specified by Parliament by law for as long as may be necessary.
- (e) Considerable importance attaches to the provision in article 351 that Hindi should be so developed that it may serve as a medium of expression for all the elements of the composite culture of India; and every encouragement should be given to the use of easy and simple diction.

Copies of the report were placed on the Table of both Houses of Parliament in April 1959 and the report was discussed in the Lok Sabha from 2nd to 4th September 1959, and in the Rajya Sabha on 8th and 9th September 1959. In the course of the discussions in the Lok Sabha, the Prime Minister made a speech on 4th September 1959, indicating broadly the approach of the Government to the official language question.

2. In exercise of the powers conferred by clause (6) of article 344, the President has considered the report of the Committee and, with reference to the opinion expressed by the Committee on the recommendations of the Official Language Commission, issues the directions hereinafter appearing.

3. **Terminology.**—The main recommendations of the Commission which the Committee has accepted are: (i) in preparing terminology clarity, precision and simplicity should be primarily aimed at; (ii) international terminology may be adopted or adapted in suitable cases; (iii) the maximum possible identity should be aimed at in evolving terminology for all Indian languages; and (iv) suitable arrangements should be made for co-ordinating the efforts made at the Centre and in the States for evolving terminology in Hindi and other Indian languages. The Committee envisages further that in the field of science and technology, there should, as far as possible, be uniformity in all Indian languages and the terminology should approximate closely to English or international terms and has suggested that a Standing Commission consisting chiefly of scientists and technologists may be constituted to co-ordinate and supervise the work done by various agencies in this field and to issue authoritative glossaries for use in all Indian languages.

The Ministry of Education may take action:—

- (a) to review the work done so far and to evolve terminology in accordance with the general principles accepted by the Committee. In the field of science and technology, the terms in international use should be adopted with the minimum change, i.e., the base-words should be those at present in use in international terminology, although the derivatives may be Indianised to the extent necessary;
- (b) to formulate proposals for making arrangements for co-ordination of the work of preparation of terminology; and
- (c) to constitute a Standing Commission for the evolution of scientific and technical terminology as suggested by the Committee.

4. **Translation of administrative manuals and other procedural literature.**—In view of the need for ensuring a measure of uniformity in the language used in the translation of manuals and other procedural literature, the Committee has accepted the recommendation of the Commission about the advisability of entrusting the work to a single agency.

The Ministry of Education may undertake the translation of all manuals and procedural literature other than statutory rules, regulations and orders. The translation of statutory rules, regulations and orders is intimately connected with the work of translation of statutes and the Ministry of Law may take up this work. It should be the endeavour to secure in these translations maximum possible uniformity in terminology in all the Indian languages.

5. **Training of administrative personnel in the Hindi medium.**—(a) In accordance with the opinion expressed by the Committee, in-service training in Hindi may be made obligatory for Central Government employees who are aged less than 45 years. This will not apply to employees below Class III grade, industrial establishments and work-charged staff. In this scheme, no penalty should be imposed for failure to attain the prescribed standard by the due date. Facilities for Hindi training may continue to be provided free of cost to the trainees.

(b) Necessary arrangements may be made by the Ministry of Home Affairs for the training of typists and stenographers employed under the Central Government in Hindi typewriting and stenography.

(c) The Ministry of Education may take early steps to evolve a standard keyboard for Hindi typewriters.

6. **Propagation of Hindi.**—(a) The Committee has agreed with the recommendation of the Commission that the responsibility for this work should now be sponsored officially. Where efficient voluntary organisations already exist, they

may be aided financially and in other ways, and where such agencies do not exist, Government may set up the necessary organisation themselves.

The Ministry of Education may review the working of the existing arrangements for propagation of Hindi and take further action on the lines indicated by the Committee.

(b) The Ministries of Education and Scientific Research and Cultural Affairs may, in collaboration, take steps to encourage studies and research in Indian linguistics, philology and literature as suggested by the Committee, and formulate necessary proposals for bringing the various Indian languages closer and for developing Hindi in accordance with the directive contained in article 351.

**7. Recruitment to local offices of Central Government Departments.**—(a) In the opinion of the Committee, local offices of the Central Government departments should use Hindi for their internal working and the respective regional languages in their public dealings in the respective regions.

In formulating the plan for the progressive use of Hindi in addition to English in their local offices, the Central Government Departments should keep in view the need for providing facilities to the local public by making available to them forms and departmental literature for their use in the regional language in as large a measure as practicable.

(b) In the opinion of the Committee, the staff structure of the administrative agencies and departments of the Central Government should be reviewed and decentralised on a regional basis, and the recruitment methods and qualifications may have to be revised suitably.

The suggestion may be accepted in principle, without introducing any domicile qualifications, in regard to categories of posts in local offices of which the incumbents are not ordinarily liable to transfer outside the region.

(c) The Committee has agreed with the recommendation of the Commission that the Union Government would be justified in prescribing a reasonable measure of knowledge of Hindi language as a qualification for entering into their services, provided a sufficiently long notice is given and the measure of linguistic ability prescribed is moderate, any deficiency being made good by further in-service training.

This recommendation may be applied for the present in regard to recruitment in the local offices of the Central Government departments in the Hindi-speaking areas only, and not in the local offices in non-Hindi-speaking areas.

The directions under (a), (b) and (c) above will not apply to the offices under the Indian Audit and Accounts Department.

**8. Training Establishments.**—(a) The Committee has suggested that English may continue as the medium of instruction for training establishments such as the National Defence Academy but suitable steps may be taken to introduce Hindi as the medium for all or some of the purposes of instruction.

The Ministry of Defence may take suitable preparatory measures such as publication of instruction books, etc., in Hindi to facilitate its use as a medium of instruction, where feasible.

(b) The Committee has suggested that English and Hindi should be the media of examination for entrance to training establishments with the option to candidates to select either with reference to all or any of the papers and an expert committee should be appointed to examine the practicability of introduction of regional languages as media without bringing in a quota system.

The Ministry of Defence may take necessary measures for introducing Hindi as an alternative medium for the entrance examination and for constituting an expert committee to examine the question of introduction of regional languages as media without introducing any quota system.

**9. Recruitment to All-India Services and higher Central Services.**—

(a) *Medium of examination.*—The Committee's opinion is that (i) English may continue to be the medium of examination and Hindi may be admitted as an alternative medium after sometime, both Hindi and English being available thereafter as media at the option of the candidate for as long as necessary; and (ii) that an expert committee be appointed to examine the feasibility of introducing the various regional languages as media without bringing in any quota system.

Necessary action may be taken by the Ministry of Home Affairs in consultation with the Union Public Service Commission for the introduction of Hindi as an alternative medium after sometime. The introduction of various regional languages also as alternative media is likely to lead to serious difficulties and it is not, therefore, necessary to appoint an expert committee to examine the feasibility of introducing regional languages as alternative media.

(b) *Language papers.*—The Committee's opinion is that after due notice, there should be two compulsory papers of equal standard, one in Hindi, and another in a modern Indian language other than Hindi to be selected by the candidate.

For the present, only an optional Hindi language paper may be introduced. Candidates selected on the results of the competition who qualify in this paper may be exempted from appearing and passing at the Hindi departmental test after recruitment.

10. *Numerals.*—As suggested by the Committee, a uniform basic policy should be adopted for the use of Devanagari numerals, in addition to the international numerals, in the Hindi publications of the Central Ministries depending upon the public intended to be addressed and the subject-matter of the publication. For scientific, technical and statistical publications, including the budget literature of the Central Government, the international numerals should be adopted uniformly in all publications.

11. *Language of Acts, Bills, etc.*—(a) The Committee has expressed the opinion that Parliamentary legislation may continue to be in English but an authorised translation should be provided in Hindi.

The Ministry of Law may, in due course, initiate necessary legislation to provide for an authorised Hindi translation of Parliamentary legislation which may continue to be in English. Arrangements may be made by the Ministry of Law also for providing translations of Parliamentary legislation into the regional languages.

(b) The Committee has expressed the opinion that where the original text of Bills introduced in or Acts passed by the State legislature is in a language other than Hindi, a Hindi translation may be published with it besides an English translation as provided in clause (3) of article 348.

In due course, legislation may be initiated for the publication of a Hindi translation of State Bills, Acts, and other statutory instruments, along with the text in the official language of the State.

12. *Language of the Supreme Court and High Courts.*—The Official Language Commission recommended that so far as the language of the Supreme Court is concerned, Hindi eventually should be the language of the Supreme Court when the time comes for the change-over. The Committee has accepted this recommendation.

In regard to the language of the High Courts, the Commission considered the pros and cons of the regional and Hindi languages and recommended that when the time for the change-over arrives, the language of judgments, decrees and orders of High Courts should be the Hindi language in all regions, but the Committee has expressed the opinion that in the High Courts provision may be made by introducing necessary legislation for the use optionally of Hindi and official languages of States for purposes of judgments, decrees and orders of High Courts with the previous consent of the President.

The opinion of the Committee regarding the functioning of the Supreme Court eventually in Hindi is acceptable in principle and will require appropriate action only when the time comes for a change-over.

In respect of the language of the High Courts, the Ministry of Law may in due course undertake necessary legislation to provide for the use optionally of Hindi and other official languages of States for purposes of judgments, decrees and orders with the previous consent of the President, as suggested by the Committee in modification of the recommendation of the Commission.

13. *Preparatory measures for change-over in the field of law.*—The Committee has agreed with the recommendations of the Commission relating to the preparation of a standard legal lexicon, re-enactment of the statute book in Hindi in respect of both Central and State legislation, plan of action for evolving a legal terminology and for taking other preparatory steps during the transitional period during

which the statute book as well as the case law will be partially in Hindi and in English, and has also suggested the constitution of a Standing Commission or a similar high-level body consisting of legal experts representing the different national languages of India for the proper planning and implementation of the entire programme relating to translation of statutes and preparation of legal terminology and glossaries. The Committee has also expressed the opinion that the State Governments might be advised to take necessary measures in consultation with the Central authorities.

The Ministry of Law may take action in the light of the suggestion of the Committee to constitute a Standing Commission of legal experts for the proper planning and implementation of the entire work relating to preparation of a standard legal terminology (for use, as far as possible, in all Indian languages) and translation of statutes in Hindi.

**14. Plan or programme for the progressive use of Hindi.**—The Committee has suggested that the Union Government should prepare and implement a plan of action for the progressive use of Hindi as the official language of the Union. No restrictions are to be imposed, for the present, on the use of the English language for any of the official purposes of the Union.

Necessary action may be taken accordingly by the Ministry of Home Affairs for the preparation and implementation of a plan or programme, which will be concerned with preparatory measures for facilitating the progressive use of Hindi in the Union administration, and for promoting the use of Hindi in addition to English for the various purposes of the Union as provided in clause (2) of article 343 of the Constitution. The extent to which Hindi can be used in addition to English will depend largely on the effectiveness of the preparatory measures. The plan for the actual use of Hindi, in addition to English, will need to be reviewed and adjusted from time to time in the light of experience.

RAJENDRA PRASAD,

*President.*

[No. 2/8/60-OL.]

B. N. JHA, Secy.

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### MINISTRY OF EXTERNAL AFFAIRS

*New Delhi, the 22nd April 1960*

**S.O. 1091.**—Shri M. R. A. Baig, I.F.S. Joint Secretary to the Government of India in the Ministry of External Affairs has been appointed Controller General of Emigration with the Government of India with effect from the 7th April 1960, vice Shri Y. K. Puri, I.C.S.

[No. CPEO/17/60.]

D. S. KHOSLA, Under Secy.

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### MINISTRY OF FINANCE

(Department of Expenditure)

*New Delhi, the 25th April 1960*

**S.O. 1092.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following further amendments in the rules regulating the Workmen's Contributory Provident Fund as instituted

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under the Government of India, late Finance Department, Resolution No. F. 33(3) R.II dated the 16th April, 1945 and as amended from time to time, namely:—

In the said Resolution, after the words "death, while in service" occurring in the second sentence of sub-paragraph (6) of paragraph 2, the words "or after retirement or discharge on account of reduction of establishment, but before payment has been made," shall be inserted.

[No. F. 58(3)-E.V.(B)/60.]

DEVI DIYAL BHATIA, Dy. Secy.



## (Department of Economic Affairs)

New Delhi, the 28th April, 1960

S. O. 1093. —Statement of the Affairs of the Reserve Bank of India, as on the 22nd April, 1960.

## BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	24,77,00,000
Reserve Fund . . . . .	80,00,00,000	Rupee Coin . . . . .	1,89,000
National Agricultural Credit (Long-term Operations) Fund . . . . .	30,00,00,000	Subsidiary Coin . . . . .	4,71,000
National Agricultural Credit (Stabilisation) Fund . . . . .	4,00,00,000	Bills Purchased and Discounted :—	
Deposits:—		(a) Internal . . . . .	..
(a) Government :		(b) External . . . . .	..
(1) Central Government . . . . .	51,32,12,000	(c) Government Treasury Bills . . . . .	41,31,35,000
(2) Other Governments . . . . .	14,60,64,000	Balances held abroad* . . . . .	21,31,49,000
(b) Banks . . . . .	97,70,98,000	**Loans and Advances to Governments . . . . .	50,46,87,000
(c) Others . . . . .	99,71,86,000	Other Loans and Advances† . . . . .	101,59,13,000
Bills Payable . . . . .	25,58,88,000	Investments . . . . .	202,80,61,000
Other Liabilities . . . . .	48,74,14,000	Other Assets . . . . .	14,85,57,000
TOTAL . . . . .	457,18,62,000	TOTAL . . . . .	457,18,62,000

\*Includes Cash and Short term Securities.

\*\*Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 8,07,40,000/- advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

Dated the 27th day of April, 1960.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 22nd day of April, 1960.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department.	24,77,00,000		A. Gold Coin and Bullion:—		
Notes in circulation . . . .	<u>1889,99,69,000</u>		(a) Held in India . . . .	117,76,03,000	
Total Notes issued . . . .	..	1914,76,69,000	(b) Held outside India . . . .	..	
			Foreign Securities . . . .	<u>163,00,89,000</u>	
			TOTAL OF A . . . .	..	280,76,92,000
			B. Rupee Coin . . . .	..	127,34,53,000
			Government of India Rupee Securities . . . .		1506,65,24,000
			Internal Bills of Exchange and other commercial paper . . . .	..	..
TOTAL LIABILITIES . . . .	..	1914,76,69,000	TOTAL ASSETS . . . .	..	1914,76,69,000

Dated the 27th day of April, 1960.

H. V. R. IENGAR,  
Governor.

[No. F3(2)-BC/60.]

A. BAKSI, Jt. Secy.

**(Department of Revenue)****INCOME-TAX**

*New Delhi, the 25th April, 1960*

**S.O. 1094.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Government is pleased to appoint Shri K. M. S. Reddy as Commissioner of Income-tax.

This notification shall take effect from the 10th April, 1960 (forenoon).

[No. 40 F. No. 55/1/60-IT.]

D. V. JUNNARKAR, Under Secy.

**CENTRAL BOARD OF REVENUE****INCOME-TAX**

*New Delhi, the 25th April, 1960*

**S.O. 1095.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), and in partial modification of all previous notifications on the subject, the Central Board of Revenue hereby directs that with effect from 9th April, 1960 (afternoon), Shri S. K. Gupta, who has been appointed by the Central Government to be a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the States of Delhi and Rajasthan.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While performing the said functions the said Shri S. K. Gupta shall be designated as the Commissioner of Income-tax, Delhi and Rajasthan with headquarters at New Delhi.

**Explanatory Note**

**NOTE.**—The amendments have become necessary due to the change in the incumbent of the Commissioner's post.

(The above note does not form a part of the amendments but is intended to be merely clarificatory).

[No. 39 F. No. 55/1/60-IT.]

**S.O. 1096.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject the Central Board of Revenue hereby directs that with effect from 10th April, 1960 (forenoon) Shri K. M. S. Reddy a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the State of Kerala and the Union Territory of Laccadive, Minicoy and Ammindi Islands.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any income-tax authority outside his jurisdictional area.

While performing the said functions the said Shri Reddy shall be designated as the Commissioner of Income-tax, Kerala with headquarters at Coimbatore.

*Explanatory Note*

NOTE.—The amendments have become necessary on account of the change in the incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 41 F. No. 55/1/60-IT.]

**S.O. 1097.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject the Central Board of Revenue hereby directs that with effect from 10th April, 1960 (forenoon) Shri R. N. Jain a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the following Income-tax Circles, Wards and Districts, namely:—

1. All Income-tax Wards and Circles at Poona.
2. All Income-tax Wards in South Satara District.
3. All Income-tax Wards and Circles in Kolhapur District.
4. All Income-tax Wards in North Satara District.
5. All Income-tax Wards and Circles in Thana District.
6. All Income-tax Wards in Kolaba District.
7. Ratnagiri District.
8. All Income-tax Wards and Circles in Sholapur District.
9. All Income-tax Wards in Ahmednagar District.
10. All Income-tax Wards and Circles in Akola District.
11. Yeotmal District.
12. All Income-tax Wards in Amravati District.
13. All Income-tax Wards in Wardha for Wardha and Chanda Districts.
14. All Income-tax Wards in Aurangabad for Aurangabad and Bhir Districts.
15. Khamgaon for Buldhana District.
16. All Income-tax Wards in Nanded for Nanded and Parbhani Districts.
17. Latur for Osmanabad District.
18. Nasik Circle.
19. Jalgaon Circle.
20. Dhulia Circle.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While performing the said functions the said Shri Jain shall be designated as the Commissioner of Income-tax, Bombay South with headquarters at Poona.

*Explanatory Note*

NOTE.—The amendments have become necessary due to a change in the incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[N. 42 F. No. 55/1/60-IT.]

**S.O. 1098.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject the Central Board of Revenue hereby directs that with effect from 14th April, 1960 (afternoon), Shri S. A. L. Narayana Row a Commissioner of Income-tax, shall perform all the functions of Commissioner of

Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the State of Bombay as specified below:—

1. Companies Circle III (All Sections except Section 6).
2. A-II Ward.
3. B-I Ward.
4. B-II Ward.
5. B-III Ward.
6. C-I Ward.
7. C-III Ward.
8. C-IV Ward.
9. D-I Ward.
10. D-II Ward.
11. 'E' Ward.
12. 'G' Ward.
13. Bombay Suburban District.
14. Special Survey Circle II.
15. Special Survey Circle III.
16. Special Survey Circle IV.
17. Special Survey Circle V.
18. Evacuees Circle II.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any income-tax authority outside his jurisdictional area.

While performing the said functions the said Shri Narayana Row shall be designated as the Commissioner of Income-tax, Bombay City II, with headquarters at Bombay.

*Explanatory Note*

NOTE.—The amendments have become necessary due to a change in the Incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 43 F. No. 55/1/60-IT.]

**S.O. 1099.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject the Central Board of Revenue hereby directs that with effect from 14th April, 1960 (afternoon), Shri A. L. Narayana Row a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the following Income-tax Circles, Wards and Districts, namely:—

1. All Income-tax Wards and Circles at Poona.
2. All Income-tax Wards in South Satara District.
3. All Income-tax Wards and Circles in Kolhapur District.
4. All Income-tax Wards in North Satara District.
5. All Income-tax Wards and Circles in Thana District.
6. All Income-tax Wards in Kolaba District.
7. Ratnagiri District.
8. All Income-tax Wards and Circles in Sholapur District.
9. All Income-tax Wards in Ahmednagar District.

10. All Income-tax Wards and Circles in Akola District.
11. Yeotmal District.
12. All Income-tax Wards in Amravati District.
13. All Income-tax Wards in Wardha for Wardha and Chanda Districts.
14. All Income-tax Wards in Aurangabad for Aurangabad and Bhir Districts.
15. Khamgaon for Buldhana District.
16. All Income-tax Wards in Nanded for Nanded and Parbhani Districts.
17. Latur for Osmanabad District.
18. Nasik Circle.
19. Dhulia Circle.
20. Jalgaon Circle.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While performing the said functions the said Shri Narayana Row shall be designated as the Commissioner of Income-tax, Bombay South with headquarters at Poona.

#### *Explanatory Note*

NOTE.—The amendments have become necessary due to a change in the incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 44 F. No. 55/1/60-IT.]

**S.O. 1100.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject the Central Board of Revenue hereby directs that with effect from 19th April, 1960 (forenoon), Shri M. Hamid Mirza a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the following Income-tax Circles, Wards and Districts, namely:—

1. All Income-tax Wards and Circles at Poona.
2. All Income-tax Wards in South Satara District.
3. All Income-tax Wards and Circles in Kolhapur District.
4. All Income-tax Wards in North Satara District.
5. All Income-tax Wards and Circles in Thana District.
6. All Income-tax Wards in Kolaba District.
7. Ratnagiri District.
8. All Income-tax Wards and Circles in Sholapur District.
9. All Income-tax Wards in Ahmednagar District.
10. All Income-tax Wards and Circles in Akola District.
11. Yeotmal District.
12. All Income-tax Wards in Amravati District.
13. All Income-tax Wards in Wardha for Wardha and Chanda Districts.
14. All Income-tax Wards in Aurangabad for Aurangabad and Bhir Districts.
15. Khamgaon for Buldhana District.
16. All Income-tax Wards in Nanded for Nanded and Parbhani Districts.
17. Latur for Osmanabad District.
18. Nasik Circle.
19. Jalgaon Circle.
20. Dhulia Circle.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While performing the said functions the said Shri Mirza shall be designated as the Commissioner of Income-tax, Bombay South with headquarters at Poona.

*Explanatory Note*

NOTE.—The amendments have become necessary due to a change in the incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 45 F. No. 55/1/60-IT.]

**S.O. 1101.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject, the Central Board of Revenue hereby directs that with effect from 9th April, 1960 (afternoon) Shri K. D. Dholakia a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the State of Mysore.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or of such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While performing the said functions the said Shri Dholakia shall be designated as the Commissioner of Income-tax, Mysore, with headquarters at Bangalore.

*Explanatory Note*

NOTE.—The amendments have become necessary due to a change in the incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 46 F. No. 55/1/60-IT.]

*New Delhi, the 3rd May 1960*

**S.O. 1102.**—In exercise of the powers conferred by sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments to its notification S.O. 660 No. 35 Income-tax dated the 22nd April, 1958, namely:—

In the schedule annexed to the said notification under sub-head "V-Bombay North" for the existing entries in Cols. 1 and 2, the following entries shall be substituted, namely:—

*Ahmedabad Range-I:*

1. Special Circle, Ahmedabad.
2. E. D.-cum-I. T. Circle, Ahmedabad:—
3. Palanpur Circle.
4. Mehsana Circle.
5. Patan Circle.

*Ahmedabad Range-II.*

1. Central Circles I, II & III, Ahmedabad.
2. Special Investigation Circles A & B, Ahmedabad.
3. Circle-II, Ahmedabad.
4. Nadiad Circle.

*Ahmedabad Range-III.*

1. Special Survey Circle, Ahmedabad.
2. Circle-I, Ahmedabad.
3. Circle-IV, Ahmedabad.
4. Petlad Circle.

*Baroda Range-I:*

1. Special Circle, Baroda.
2. Wards A, C, D and H, Baroda.
3. Navsari Circle.

*Baroda Range-II.*

1. Baroda Circle excepting wards A, C, D, and H, Baroda.
2. E. D.-cum-I. T. Circle, Baroda.
3. Godhra Circle.
4. Broach Circle.

*Surat Range.*

1. Surat Circle.
2. E. D.-cum-I. T. Circle, Surat.

*Rajkot Range:*

1. Rajkot Circle.
2. Special Survey Circle, II, Rajkot.
3. Jamnagar Circle.
4. Morvi Circle.
5. Porbandar Circle.
6. Bhuj Circle.

*Bhavnagar Range:*

1. Circle-III, Ahmedabad.
2. Bhavnagar Circle.
3. Junagadh Circle.
4. Surendranagar Circle.
5. Amreli Circle.

This notification shall have effect from the 5th May 1960.

*Explanatory Note*

NOTE: The amendments have been necessitated on account of the reorganisation of the appellate ranges in the Charge of the Commissioner of Income-tax, Bombay North.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 47 (F. No. 50/6/60-IT.).]

D. V. JUNNARKAR, Under Secy.

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**ESTATE DUTY**

*New Delhi, the 3rd May 1960*

**S.O. 1103.**—In exercise of the powers conferred by the second proviso to sub-section (2) of Section 4 of the Estate Duty Act, 1953 (34 of 1953), and in supersession of its notifications No. 36/F. No. 21/4/56-ED dated the 25th June, 1956, No. 42/F. No. 21/51/58-ED dated the 7th June, 1958 and No. 3/F. No. 21/6/60-ED dated the 13th February, 1960, the Central Board of Revenue hereby directs that subject to the pecuniary limits specified in its notification No. 11-ED/F. No. 21/52/57-ED dated the 5th September, 1957 as amended by its notification No. 8/F. No. 12/1/59-ED dated the 1st April, 1959 every Income-tax Officer appointed to be an Assistant Controller of Estate Duty and posted to the Estate Duty-cum-Income-tax Circle, Calcutta, and every Inspecting Assistant Commissioner of Income-tax appointed to be a Deputy Controller of Estate Duty and exercising jurisdiction over the said circle shall perform his functions as Assistant Controller and Deputy Controller respectively in the said circles to the exclusion of all other Assistant Controllers or Deputy Controllers in respect of the estates of all deceased persons who immediately before their death were being or would have been assessed to income-tax had



they derived any taxable income in any Income-tax circle, the headquarters of which lies within the municipal limits of the city of Calcutta and in the revenue districts of—

1. 24 Parganas
2. Bankura.
3. Birbhum
4. Burdwan
5. Hooghly
6. Howrah
7. Midnapur
8. Murshidabad
9. Nadia
10. Purulia
11. Cooch-Bihar
12. Jalpaiguri
13. Darjeeling
14. West Dinajpur
15. Malda.

2. This notification shall come into force from the 9th May, 1960.

*Explanatory Note*

(This note is not part of the notification but is intended to be merely clarificatory).

This notification has become necessary because of the decision to merge the Estate Duty-cum-Income-tax Circle, Jalpaiguri as well as the Estate Duty-cum-Income-tax Circle (Mofussil) Calcutta with the Estate Duty-cum-Income-tax Circle, Calcutta.

[No. 10/F. No. 21/6/60-ED.]

**S.O. 1104.**—In exercise of the powers conferred by Section 4 of the Estate Duty Act, 1953 (34 of 1953) read with Rule 6 of the Estate Duty Rules, 1953, the Central Board of Revenue hereby transfers, with effect from the 9th May 1960, the cases relating to the estates of the deceased persons who immediately before their death were being or would have been assessed to Income-tax had they derived any taxable income in any income-tax Circle the headquarters of which lies within the revenue districts of (1) Cooch-Bihar (2) Jalpaiguri (3) Darjeeling (4) West Dinajpur (5) Malda, from the Assistant Controller of Estate Duty, Estate Duty-cum-Income-tax Circle, Jalpaiguri, to the Assistant Controller of Estate Duty, Estate Duty-cum-Income-tax Circle, Calcutta.

*Explanatory Note*

(This note is not part of the amendment but is intended to be merely clarificatory).

This amendment has become necessary because of the merger of the Estate Duty-cum-Income-tax Circle, Jalpaiguri with the Estate Duty-cum-Income-tax Circle, Calcutta.

[No. 11 F. No. 21/6/60-ED.]

**S.O. 1105.**—In exercise of the powers conferred by the second proviso to sub-section (2) of section 4 of the Estate Duty Act, 1953 (34 of 1953) and in supersession of its notification No. 27/F. No. 34/3/57-ED dated the 25th January, 1958 as amended by its notification No. 4/F. No. 21/6/60-ED dated the 13th February, 1960, the Central Board of Revenue hereby directs that every Inspecting Assistant Commissioner of Income-tax, Estate Duty Range, Calcutta, appointed to be a Deputy Controller and exercising jurisdiction over the Estate Duty-cum-Income-tax Circle, Calcutta, shall perform his functions as Deputy Controller in the said circle to the exclusion of all other Deputy Controllers in respect of the estates of all deceased persons who immediately before their death were being,

or would have been, assessed to income-tax, had they derived any taxable income in any Income-tax circle within the jurisdiction of the Commissioners of Income-tax—

- (1) West Bengal.
- (2) Calcutta.
- (3) (Central) Calcutta.

2. This notification shall come into force from the 9th May, 1960.

#### *Explanatory Note*

(This note is not part of the notification but is intended to be merely clarificatory).

This notification has become necessary because of the merger of the Estate Duty-cum-Income-tax Circle, Jalpaiguri as well as the Estate Duty-cum-Income-tax Circle (Mofussil) Calcutta, with the Estate Duty-cum-Income-tax Circle, Calcutta.

[No. 12/F. No. 21/6/60-ED.]

M. B. PALEKAR, Secy.

#### CUSTOMS

*New Delhi, the 7th May 1960*

**S.O. 1106.**—In exercise of the powers conferred by section 12 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry and in supersession of the notifications Nos. 9 and 10-Customs, dated the 4th February, 1950, the Central Board of Revenue hereby declares the places situated in each of the districts in the State of Madras specified in the first column and named in the second column of the Schedule hereto annexed to be ports for carrying on coasting-trade with customs-ports and for no other purpose.

#### SCHEDULE

District	Name of the port
Tanjore.	Point Calimere and Topputhurai.
Ramnad.	Rameswaram, Pamban and Dhanushkodi.

[No. 41-F. No. 52/1/59-LC.II.]

**S.O. 1107.**—In exercise of the powers conferred by clause (a) of section 11 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry and in supersession of the notification No. 88-Customs, dated the 9th September, 1950, the Central Board of Revenue hereby declares the places situated in the State of Andhra Pradesh and State of Mysore specified in the Schedules A and B respectively annexed hereto to be ports for the shipment and landing of goods, namely:—

#### SCHEDULE A

S.No.	District	Name of the Port
1.	Sirkakulam.	Calingapatam.
2.	Visakhapatnam.	Bheemunipatnam, Visakhapatnam.
3.	East Godavari.	Kakinada.
4.	Krishna.	Masulipatam.
5.	Guntur.	Vadarevu.
6.	Nellore.	Krishnapatnam.

## SCHEDULE B

S.No.	District	Name of the Port
1.	South Kanara.	(1) Mangalore. (2) Mulki. (3) Malpe. (4) Hangarkatta. (5) Coondapur.

[No. 42-F. No. 52/1/59-LC.II.]

**S.O. 1108.**—In exercise of the powers conferred by section 12 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry and in supersession of the notification No. 125-Customs dated, the 9th September, 1950 the Central Board of Revenue hereby declares the following places in the State of Kerala to be ports for carrying on of coasting-trade with customs ports and for no other purpose, namely:—

Leapuram  
Kovalam  
Rajakkamangalam  
Kankudy  
Kondiapetnam  
Malipuram  
Anjengo  
Kallayi

[No. 43-F. No. 52/1/59-LC. II.]

**S.O. 1109.**—In exercise of the powers conferred by clause (a) of section 11 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry and in supersession of the notification No. 85-Customs, dated the 24th December, 1951, the Central Board of Revenue hereby declares the following places situated in the State of Kerala to be ports for the shipment and landing of goods, namely:—

Alleppey.  
Quilon.  
Trivandrum.  
Koillhottam.  
Azhikal.  
Ponnani.  
Kozhikode.  
Badagara.  
Tellicherry.  
Cannanore.  
Kasargod.

[No. 44-F. No. 52/1/59-LC. II.]

M. C. DAS, Secy.

## CENTRAL EXCISE COLLECTORATE, DELHI

*New Delhi, the 7th May 1960*

**S.O. 1110.**—In exercise of the powers conferred upon me under Rules 15 and 16 of the Central Excise Rules, 1944, I hereby notify that no declaration will be necessary under the said rules, in respect of unmanufactured tobacco grown

in areas not exceeding the limits specified in col. 8 of the sub-joined schedule and cured in quantities not exceeding the limits specified in col. 9 of the same schedule in the whole of the revenue jurisdictions set out in col. 7 thereof. This notification supersedes all previous notifications issued under this office C. Nos. IV(a) 34/35/Int./57/23709, dated 14th May 1958, V(a)24/35/Int./57/Pt. II/32665, dated 4th July 1958 and V(a)24/35/Int./57/Pt. II/50181, dated 6th October 1958, in respect of the areas specified in col. 7 of the schedule.

SCHEDULE

Serial No.	Name of the Division	C.E.	Name of the Circle	Name of the Range	Name of the Revenue District	Name of the Tehsil	Revenue villages or tehsils exempted under rules 15 and 16	Maximum area upto which a grower may cultivate tobacco without a declaration under rule 15 of C.E. Rules 1944, in areas specified in Col. 7	Quantity upto which a curer may cure tobacco without a declaration under rule 16, <i>ibid</i> , in the areas specified in Col. 7
(1)	(2)		(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	Ajmer	Ajmer	Ajmer	Bhilwara M.O.R.	Bhilwara	Banera	All villages	cents	lbs.
					Chittorgarh	Gangrar	" "	10	60
						Bansorgarh	" "	10	60
							" "	20	100
				Ajmer M.O.R.	Ajmer	Ajmer	" "	10	60
				Beawar M.O.R.		Beawar	" "	10	60
				Nasirabad		Kekeri	" "	10	60
				Kishangarh		Kishangarh	" "	10	60
						Rupangarh	" "	10	60
						Sarvar	" "	10	60
				Bhim	Deogarh	Bhim	" "	10	60
						Mandal	" "	10	60
			Jodhpur	Jodhpur M.O.R.	Jodhpur	Jodhpur	" "	10	60
						Osian	" "	10	60
						Shergarh	" "	10	60
				Pali	Pali	Pali	" "	10	60
						Kharchi	" "	10	60
						Desuri	" "	10	60
				Balotra	Barmer	All tehsils	" "	20	100
				Merta	Nagaur		" "		
				Kuchaman city		All tehsils	" "	20	100
				Parbatsar			" "		

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
							cents	lbs.
			Abu Road . . . .	Sirohi . . . .	Abu Road . . . .	All villages	10	60
			Sojat . . . . .	Pali . . . . .	Sojat . . . . .	" "	10	60
			Jalore . . . . .	Jalore . . . . .	All tehsils . . . .	" "	20	100
			— . . . . .	Jaisalmer . . . . .	All tehsils . . . .	" "	20	100
	Udaipur . . . . .	Udaipur M.O.R. . . . .	Udaipur . . . . .	Udaipur . . . . .	" "	" "	10	60
				Girwa . . . . .	" "	" "	10	60
				Salumber . . . . .	" "	" "	10	60
				Phalasia . . . . .	" "	" "	10	60
				Sarada . . . . .	" "	" "	20	100
				Kherwara . . . . .	" "	" "	20	100
				Gogunda . . . . .	" "	" "	20	100
				Kotra . . . . .	" "	" "	20	100
				Saira . . . . .	" "	" "	20	100
			Dungerpur . . . . .	All tehsils . . . .	" "	" "	20	100
	Amet . . . . .		Deogarh . . . . .	Kumbahalgarh . . .	" "	" "	20	100
				Amet . . . . .	" "	" "	10	60
				Raipur . . . . .	" "	" "	10	60
				Sahada . . . . .	" "	" "	10	60
	Banswara . . . . .	Banswara . . . . .	All tehsils . . . .	" "	" "	" "	20	100
	Nimbahera M.O.R. . . . .	Chittorgarh . . . . .	Chittorgarh . . . .	" "	" "	" "	10	60
			Achnera . . . . .	" "	" "	" "	10	60
			Nimbahera . . . . .	" "	" "	" "	10	60
			Bhilwara . . . . .	Shahpura . . . . .	" "	" "	10	60
				Hurda . . . . .	" "	" "	10	60
				Kotri . . . . .	" "	" "	10	60
				Mandalgarh . . . .	" "	" "	10	60
				Jahazpur . . . . .	" "	" "	10	60
	Mavli M.O.R. . . . .	Udaipur . . . . .	Lasadia . . . . .	" "	" "	" "	10	60
			Railmagara . . . .	" "	" "	" "	10	60
			Rajasamand . . . .	" "	" "	" "	10	60
			Vallabhnagar . . .	" "	" "	" "	10	60
		Chittorgarh . . . . .	Barisadri . . . . .	" "	" "	" "	10	60
			Dungla . . . . .	" "	" "	" "	10	60

Fatehnagar M.O.R.	Chittorgarh	Rashmi	10	60
—	—	Partapgarh	20	100
—	—	Bengu	20	100
Kotah	Kotah M.O.R.	Kotah	12	60
		Barod	12	60
		Etawah	12	60
		Chechet	12	60
		Sangod	12	60
		Piplada	12	60
		Indergarh	12	60
		Kanwas	12	60
		Ramganjmandi	12	60
		Digod	12	60
		Ladpara	12	60
	Bundi	Nainwa	12	60
		Talera	12	60
		Hindoli	12	60
		except		
		(i) Alod		
		(ii) Jarkas		
		(iii) Gudha		
		(Sada Bahoka)		
		(iv) Daba-		
		lana.		
Baran	Baran	All villages	12	60
		Shahbad	12	60
		Chipabarod	12	60
		Atru	12	60
		Chabra	12	60
		Mangrol	12	60
		Kishanganj	12	60
		except		
		(i) Brijnagar		
		(ii) Bakronda		
		(iii) Kishan-		
		ganj.		
	Anta	All villages	12	60
		(i) Bargaon		
		(ii) Palatia		
		(iii) Palsana		
		(iv) Bachel		
		Kalan		

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
		Bhawanimandi	Jhalawar	Asnawa	All villages		12	60
				Iklera	"	"	12	60
				Manoharthana	"	"	12	60
				Khanpur	"	"	12	60
				Jhalawar Patan	"	"	12	60
				Bakari	"	"	12	60
				Ganga Dhar	"	"	12	60
				Dug	"	"	12	60
					except			
					(i) Dug			
					(ii) Lahoria			
					(iii) Nandpur			
					(iv) Dodi			
					(v) Chan			
				Pirawa	All villages		12	60
				Pachpahar	"	"	12	60
					except			
					Sarod			
		Hindon	Sawaimadhopur	Karauli	All villages		5	60
					except			
					(i) Agru			
					(ii) Rindka-			
					pura			
					(iii) Parcholi			
					(iv) Dukawli			
					(v) Karauli			
					(vi) Manchori			
					(vii) Rajma			
					(viii) Pareeta			
					(ix) Makhan-			
					pur			
					(x) Gusal			
					Pahari			
					(xi) Mohali			
					(xii) Bugdar			
					(xiii) Mahroli			
					(xiv) Nava			
					Bas			



		(xv) Fateh- pur		
		(xvi) Bhakh- tupur.		
Sapotra	.	All villages except—	5	60
		(i) Sanarda		
		(ii) Gangarda		
		(iii) Zorli		
		(iv) Luloz		
		(v) Khukhu		
		(vi) Pahar- pura		
		(vii) Dabra		
Mahwa	.	All villages except—	5	60
		(i) Padla		
		(ii) Haldnia		
		(iii) Banawar		
		(iv) Ukloond		
		(v) Tehlu		
		(vi) Santha		
		(vii) Rohat		
		(viii) Tikri Jatti		
		(ix) Bihaheri		
		(x) Bhopa Salimpur		
		(xi) Khorda		
		(xii) Mohan- pur		
Hindaun	.	All villages except—	5	60
		(i) Hindaun		
		(ii) Jharera		
		(iii) Gaonia Meena		
		(iv) Bhango		
		(v) Kherli Guzzar		
		(vi) Atkali		



			(xxiii) Shekh Pura		
			(xxiv) Nurdipura		
Sawaimadhopur	Sawaimadhopur	Sawaimadhopur	All villages	5	60
		Khandak . . .	” ”	5	60
		Bonli . . .	” ”	5	60
		Gangapur . . .	” ”	5	60
			except Khandak		
		Ramanwas . . .	All villages except Ramanwas	5	60
		Nadoti . . .	All villages	5	60
Alwar . . .	Alwar M.O.R.	Alwar . . .	All villages except—	5	60
			(i) Alwar		
			(ii) Pulkheri		
			(iii) Debra		
			(iv) Bhahadurpur		
			(v) Balana		
			(vi) Karoli		
			(vii) Shahpur		
		Ramgarh . . .	All villages	5	60
		Malakhera . . .	” ”	5	60
Rajgarh . . .	Alwar	Rajgarh . . .	All villages except—	5	60
			(i) Jamdoleo		
			(ii) Pinana		
			(iii) Kundel		
			(iv) Pervaine		
			(v) Bigota		
			(vi) Bajner		
			(vii) Bhuleri		
			(viii) Dighwara		
		Thanagazi . . .	All villages	5	60

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)		
		Kherli]	.	.	Lachmangarh	All villages except — (i) Baroda Khan (ii) Sehda (iii) Maujpur (iv) Adoli (v) Intera (vi) Bonkar (vii) Garoo (viii) Masoori (ix) Samoochi (x) Tassee (xi) Salipur (xii) Sonk (xiii) Sidhwari (xiv) Sitarda	5	60		
		Khairthal	.	.	Alwar]	.	Mundawar	All villages	5	60
					Kishangarh	All villages except — (i) Ismailpur (ii) Jalota (iii) Macha (iv) Punderka (v) Madhopur (vi) Bhaman- was (vii) Nasho- pur (viii) Bhonker	5	60		
					Tijara	All villages except — (i) Salarpur (ii) Santhal (iii) Karonda (iv) Budhi- bawal	5	60		

			(v) Karondi		
			(vi) Bibipur		
			(vii) Bamora		
			(viii) Allah- pur		
			(ix) Shaha- bad		
			(x) Modana		
			(xi) Ishorada		
			(xii) Jhand- puri		
			(xiii) Luoha- dra		
			(xiv) Birham- pur		
			(xv) Allah- pur Jat		
			(xvi) Jhujka		
			(xvii) Kamal- pur		
			(xviii) Dhe- rajwas		
			(xix) Gail- pur		
Bansur . . . . .	Alwar . . . . .	Bansur . . . . .	All villages except—	5	60
			(i) Kankari		
			(ii) Gunta		
		Behror . . . . .	All villages	5	60
Deeg . . . . .	Bharatpur . . . . .	Deeg . . . . .	All villages except Khoe	5	60
		Kaman . . . . .	All villages except—	5	60
			(i) Bolkora		
			(ii) Baroli		
			Dhar		
			(iii) Moong- aska		
			(iv) Chichari]		
			Wan		

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
							Cents	lbs.
						(v) Jhuraj (vi) Sonka (vii) Soblana		
					Nagar	All villages except— (i) Nihan (ii) Gulpada (iii) Urki Dala (iv) Jeetrari (v) Bulja (vi) Bhatipura (vii) Nigoli (viii) Gari- mewat	5	60
					Bharatpur	All villages	5	60
					Nadbai	All villages except— (i) Raisis (ii) Lohasa (iii) Kabai (iv) Nadbai	5	60
					Kumher	All villages except Kumher	5	60
					Bayana	All villages except— (i) Bhusawar (ii) Hatinzor (iii) Ulloo	5	60
					Weir	All villages except Weir		60
					Koopwas	All villages except Khera Thana	5	60

Dholpur . . .	Dholpur . . .	All villages except— (i) Dobera (ii) Phuspur	5	60
	Bari . . .	All villages except— (i) Bari (ii) Rehal (iii) Dudka Nagat	5	60
	Baseri . . .	All villages except— (i) Tajpur (ii) Bagthai	5	60
	Rajakhera . . .	All villages	5	60

[C. No. V(a)24/35/Int./57/Pt.II.]

B. D. DESHMUKH, Collector.

## OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, BANGALORE

## CENTRAL EXCISE—MANUFACTURED PRODUCTS

Bangalore, the 20th April 1960

**S.O. 1111.**—In exercise of the powers conferred upon me under Rule 233 of the Central Rules, 1944, I direct that in Cement Factories, where bagging is done by automatic filling machines, the manufacturer shall check-weigh not less than 5% of such machine filled bags on platform scale.

2. Bagging from automatic filling machines shall be stopped, if the check-weighment shows variations in excess of 2 lbs. per bag either way. All the bags filled beyond the admissible tolerance shall be refilled to standard weight.

3. The manufacturer shall maintain a record of check-weighment in the following form:—  
.....Name of the Factory.

*Record of check-weighment of Cement Bags filled by automatic machines*

Wagon/ Truck or any other vehicle No. if any	Gate pass No. & date	No. of cement bags to be loaded	Standard weight of the bag check- weighed	Actual weight of each bag check- weighed	Total excess (+) & (—) noticed in the bags weighed	Initials of the weighing clerk of the factory	Initials of the C. Ex. Officer	Remarks
1	2	3	4	5	6	7	8	9
						(+) lbs. (—) lbs.		

Date.....

Shift.....

4. If any record containing the above particulars is maintained by a factory, it shall be accepted.

[No. 6/60.]

A. R. SHANMUGAM,  
Collector.

## CENTRAL EXCISE COLLECTORATE, ALLAHABAD

Allahabad, the 27th April 1960

**S.O. 1112.**—In exercise of the powers vested in me under Rule 5 of Central Excise Rules, 1944, and in supersession of all previous orders and Notifications issued on the subject as enumerated at the end below, I empower the officers not below the rank mentioned in column 2 of the Table below, to exercise within their respective jurisdictions the powers of the Collector under the rules mentioned against each in column 3 of the Table, subject to restrictions as in column 4 thereof:—

Sl. No.	Designation of the Officers	No. of rules	Restrictions
1	2	3	4
1	Dy. Collector	18, 30, 143, 145 [Proviso (b)] 150 (1), 167(1), 169, 191 [Except sub-rule (8) & (ii)], 210-A, 222, 223, 228(1).	(i) Rule 191 : Provided that the cost of establishment recoverable under rule 191 (11) shall be fixed by the Collector.



1	2	3	4
2	Asstt. Collector	9, 12, 12-A, 13, 14, 14-A, 27(4), 49, 65(3), 65(4), 75, 93(b), 96(k) (2), 97, 100, 145 [Proviso (A), 147, 183, 184, 189, 192, 193, 196, 206(3), 210-A, 212, 223-A, 224(1), 227 (1), 229, 230.	<p>(i) <i>Rule 9 :</i> The account current shall be maintained in Collector's name.</p> <p>(ii) <i>Rules 12, 13 &amp; 14 :</i> Only under provisions (iii), (v) and (vii) of Appendix XI to C. E. Rules, 1944, and provision to Rule 12 as added by the Govt. of India Notification No. 8-CER/56 dated 14-7-56.</p> <p>(iii) <i>Rule 12-A :</i> Only in respect of exports relating to ports other than major ports.</p> <p>(iv) <i>Rules 14-A, 27 (4) &amp; 147 :</i> Provided the duty involved in each individual case does not exceed Rs. 250/-.</p> <p>(v) <i>Rule 14-A :</i> Provided demands for payment of duty and penalty imposed do not exceed Rs. 2000/- and Rs. 250/- respectively.</p> <p>(vi) <i>Rule 49 : (Second Proviso)</i> In case the Manufactured Products other than Tea, to allow destruction of goods, if the duty involved in each case does not exceed Rs. 1000/-. The supervision over actual destruction of manufactured excisable goods shall be done by the Asstt. Collector in cases where the duty involved exceeds Rs. 1000/- in each case.</p> <p>(vii) <i>Rule 93(b) :</i> For the sake of co-ordination it should be reported to the Collr.</p> <p>(viii) <i>Rule 145 [Proviso (a)]</i> The power to grant extension of warehousing period is restricted to one year only beyond the first three years.</p> <p>(ix) <i>Rule 192 :</i> Subject to the condition that power of fixing the cost of supervisory staff will be retained by the Collector.</p> <p>(x) <i>Rules 49 and 196 :</i> Subject to the condition that duty involved on the goods lost does not exceed Rs. 500/-.</p> <p>(xi) <i>Rule 206(3) :</i> To authorise release of seized goods pending adjudication where the value of such goods does not exceed Rs. 5,000/-.</p> <p>(xii) <i>Rule 210-A :</i> Where the value of goods does not exceed Rs. 5,000/-.</p>

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## (xiii) Rule 212 :

The power shall be exercised only in respect of tobacco confiscated by the Asstt. Collector and Superintendent (but not redeemed within the period so fixed in such orders).

## (xiv) Rule 224(i) :

To accord general permission for clearance of manufactured excisable goods between 6 P.M. to 6 A.M.

3 Officer competent to issue and renew licence.

9, 43, 44, 46, 47(3), 48, 57, 157 (d), 140, 180.

## (i) Rule 9 :

So far as it relates to specification of premises.

## (ii) Rules 43, 44, 46, 47(3), 48, 57(d) and 180 :

For licensing authority only.

## (iii) Rule 140 :

Provided that securities shall not be demanded without orders of the Collector.

4 Supdt.

3, 9, 12, 38, 47 (1), 49 (Second proviso), 59, 71(3), 92-A, 96-O, 96-1, 96-Q(2), 154, 164, 165(2), 175(4), 200, 206(3), 210A, 212, 224 (i), 224-B.

## (i) Rule 9 :

For according permission to open account current in respect of V. N. E. Oils manufacturers only, subject to the condition that account current shall be maintained in the name of the Collector.

## (ii) Rule 12 :

Limited to proviso (iii), & (vii) of Appendix XI of C.E. Rules, 1944.

## (iii) Rule 49 (Proviso 2) :

In case of manufactured products other than tea, to authorise destruction if duty involved in each case does not exceed Rs. 250/-. The supervision over actual destruction of manufactured goods may be done by the Superintendent in cases where the duty involved exceeds Rs. 250/- but does not exceed Rs. 1000/- in each case. Where the duty involved is upto Rs. 250/- only in each case, the supervision over actual destruction may be done by the Dy. Superintendent.

## (iv) Rule 96-O(4) :

To exercise the powers only in respect of cases where the delay in presenting the A.S.P. is not more than 15 days over the statutory period.

## (v) Rule 96-Q(2) :

To exercise the power of condonation of delay in filling A.R. 7 and/or making weekly deposits, provided the delay is not more than 5 days.

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## (vi) Rule 206 :

To accept Bonds B-II (Sec) for release of seized goods pending adjudication.

## (vii) Rule 206 (3) :

To authorise release of seized goods in such cases where the value of such goods does not exceed Rs. 500/-.

## (viii) Rule 210-A :

Where the value of goods does not exceed Rs. 500/-.

## (ix) Rule 212 :

The power shall be exercised only in respect of confiscated tobacco (not redeemed within the period so fixed in the Adjudication Orders) which owing to deterioration failed to fetch the reserve price subject to the condition that the weight of the tobacco to be destroyed or otherwise disposed of, does not exceed 25 Standard maunds in each individual case.

## (x) Rule 224(i) :

Subject to the condition that a monthly statement will be submitted to the Asstt. Collector concerned at the end of each calendar month. General permission for clearance of manufactured excisable goods between 6 P.M. & 6 A.M. shall be accorded by the Asstt. Collector.

## (xi) Rule 224-B :

The Superintendent will permit issue of duplicates of documents other than Transport permits, demand for duty, A.R. Is. etc. which can be issued by the Inspector.

5 Inspector . . . 13, 27, 51-A, 153.

## (i) Rule 13 :

In so far it relates to acceptance of individual bonds.

## (ii) Rule 27 :

Subject to provisions that powers prescribing alternative form of store room register is reserved with the Collector.

## (iii) Rule 51-A :

For Factory Officer only.

6 Sub-Inspector . . . 144, 153, 155, 197, 199, 200 ]

## (i) Rules 158 and 185 :

To allow clearance of tobacco from bonded warehouses of class III & IV categories subject to periodical post test checks by Inspector and Dy. Superintendent.

7 Officers who originally accept bonds under Rules 140 and 164. 155

## 2. The aforesaid orders are in supersession of the following Notifications :—

56	(i)	Notification	No.	1/57	dated	31-1-57.
-do-	(ii)	"	"	2/57	"	23/26-2-57
-do-	(iii)	"	"	5/57	"	25-4-57
-do-	(iv)	"	"	6/57	"	7-5-57
-do-	(v)	"	"	8/57	"	12-8-57
-do-	(vi)	"	"	9/57	"	25-10-57
-do-	(vii)	"	"	11/57	"	16/21-11-57
-do-	(viii)	"	"	14/57	"	17-12-57
-do-	(ix)	"	"	1/58	"	4-1-58
-do-	(x)	"	"	3/58	"	10-3-58
-do-	(xi)	"	"	7/58	"	22-11-58
-do-	(xii)	"	"	2/59	"	25-2-59
-do-	(xiii)	"	"	3/59	"	6-4-59
-do-	(xiv)	"	"	4/59	"	21-4-59
-do-	(xv)	"	"	7/59	"	29-5-59

[No. 1.]

S. C. MATHUR, Collector.

OFFICE OF THE ASSISTANT COLLECTOR OF CENTRAL EXCISE,  
GOA FRONTIER DIVISION, BELGAUM.

## NOTICE

*Belgaum, the 29th April 1960*

**S.O. 1113.**—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border, were imported by land from Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

Sl. No.	Date & Place of Seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	2	3	4	5	6
I	19-2-1960 Kumbhal Villagc.	Inspector C. Ex. Sasoli.	Betelnuts in 7 bags.	B. Mds. Srs. 5—25	Sec. 5(r) of the L.C. Act, 1924 and the Govt. of India Ministry of Commerce & Industry Import Control Order No. 17/55 dt. 7-12-55.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) and 168 of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b) 10-103/60.]

**S.O. 1114.**—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border were imported by

land from Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

S.No.	Date & Place of Seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	2	3	4	5	6
1	9-12-59 Ch. No. 7 and 8	Inspector C. Ex., Phanaskhol.	(1) Black beads (2) Chappals.	63 Bundles 3 pairs	Sec. 5 (1) of the L.C. Act, 1924 and the Govt. of India Ministry of Commerce & Industry Import Control Order No. 17/55 dt. 7-12-55.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Sections 167(8) and 168 of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1) (c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-101/60.]

**S.O. 1115.**—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border were about to be exported by land from India to Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

S. No.	Date & Place of Seizure	By whom detected	Description of goods	Quantity	Rules contravened
83/60	29-2-60 Huland, Chorla jungle.	I.L.C.S.R.P. Simachi	1 to 16 as per proceedings.	53	Sec. 5 (1) of Land Customs Act, 1924, Govt. of India M. O. C. and I.E.C.O. No. 1/58 dt. 1-5-58 issued under Sections 3 & 4-A of the Import & Export Control Act, 1947 further deemed to have been issued under Sec. 19 of Sea Customs Act, 1878.
84/60	1-3-1960 "Shimbalgaya cha Soda."	Sub-Inspr. Simachi.	11, Sarees of assorted colours & designs		

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924, Sections 167(8) and 168 of the Sea Customs Act, 1878 read with Section 3(2) of Imports and Exports Control Act, 1947 and why a penalty should not be imposed on him under Section 7(1) (c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-83, 84/60.]

S.O. 1116.—That the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border were imported by land from Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

S.No.	Date & Place of Seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	10-2-60 Redi Ghati	Sub-Insp. C. EX. Hedus.	Betelnuts in nine bags	B.Mds, Srs. 5— 32	Sec. 5 (1) of the Land Customs Act, 1924 and the Govt. of India Ministry of commerce and Industry Import Control Order No. 17/55 dt. 7-12-1955.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924, read with Sections 167(8) and 168 of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1) (c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-102/60.]

E. R. SRIKANTIA,  
Asstt. Collector.

## MINISTRY OF COMMERCE AND INDUSTRY

*New Delhi, the 3rd May 1960*

S.O. 1117.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by The Alleppey Oil Millers' and Merchants' Association, Alleppey, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Association on a permanent basis with effect from the 15th May, 1960 in respect of forward contracts in Coconut oil.

2. The recognition hereby granted is subject to the condition that the said Association shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. 34(1)-TMP/FMC/60.]

T. S. KUNCHITHAPATHAM, Under Secy.

## ORDERS

*New Delhi, the 28th April 1960*

S.O. 1118.—IDRA/6/18.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Mr. B. B. Dodd, to be a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S. O. 129, dated the 12th January, 1960, for

the scheduled industries engaged in the manufacture or production of Leather, leather goods and pickers, and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order, after entry No. 19, relating to Shri N. R. Lodh the following entry shall be inserted, namely:—

- 19A. Mr. B. B. Dodd, Managing Director, M/s. "technical" "Member"  
Gordon, Woodroffe & Co., (Madras) knowledge".  
Private Ltd., 1/21, North Beach Road,  
George Town, Madras-1".

[No. 4(2)IA(II)(G)/60.]

*New Delhi, the 2nd May 1960*

**S.O. 1119/IDRA/5.**—In exercise of the powers conferred by section 5 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), read with rule 8 of the Central Advisory Council (Procedural) Rules, 1952, the Central Government hereby appoints Mr. D. C. B. Pilkington to be a member of the Central Advisory Council of Industries, in place of Mr. Kenneth E. Tosh, who has resigned, and makes the following amendment in the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 216, dated the 20th January 1959, namely:—

In the said order, under the heading "To represent the interest of owners of industrial undertakings in scheduled industries" for entry No. 13B, relating to Mr. Kenneth E. Tosh, the following entry shall be substituted, namely:—

- "13B. Mr. D. C. B. Pilkington, O.B.E., Messrs Bird & Co. (Private) Ltd., Chartered Bank Buildings, Calcutta."

[No. 1(5)IA(II)(G)/60.]

**S.O. 1120/IDRA/6/10.**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Dr. K. S. G. Doss, Director, Central Electro-Chemical Research Institute, Karaikudi, as a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry S.O. 953, dated the 24th April 1959, for the scheduled industries engaged in the manufacture or production of Alkalies and allied industries, and directs that the following amendment shall be made in the said order, namely:—

In paragraph 1 of the said Order after entry No. 7 relating to Dr. H. E. Eduljee, the following entry shall be inserted, namely:—

- "7A. Dr. K. S. G. Doss, Director, Central Technical knowledge Member"  
Electro-Chemical Research Institute,  
Karaikudi.

[No. 4(5)IA(IV)/59.]

NAR NARAIN SINGH, Under Secy.

(Department of Company Law Administration)

*New Delhi, the 12th April 1960*

**S.O. 1121.**—In exercise of the powers conferred by clause (a) of sub-section (1) of Section 448 of the Companies Act, 1956 (1 of 1956), the Central Government hereby appoints, Shri D. D. Gupta, the Deputy Registrar, Rajasthan High Court, to be ex-officio official Liquidator, attached to the said High Court with effect from date on which he assumes charge of this office, vice Shri Milap Chand Mardia until further orders.

[No. 2/7/59-CL.III.]

*New Delhi, the 27th April, 1960*

**S.O. 1122.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 448 of the Companies Act, 1956 (1 of 1956), the Central Government hereby appoints Shri V. J. Merchant, Deputy Registrar of the Gujarat High Court to be ex-officio official Liquidator attached to the said High Court with effect from the date he assumes charge.

[No. 2/1/60-CL.III.]

S. K. MAITRA, Under Secy.

## (Office of the Joint Chief Controller of Imports &amp; Exports)

## NOTICES

*Madras, the 11th February 1960*

**S.O. 1123.**—It is hereby notified that in exercise of the powers conferred by clause 9 (a) of the Imports (Control) Order, 1955, the Government of India, in the Ministry of Commerce and Industry propose to cancel licence No. E. 980193/59/EI/CI/P dated 17th September 1959 valued at Rs. 500/- for the import of Other Lamps from the Soft currency area except South Africa, granted by the Controller of Imports and Exports, Pondicherry to M/s. Golden Company, 38, Dupleix Street, Pondicherry, unless sufficient cause against this is furnished to the Jt. Chief Controller of Imports and Exports, Madras within ten days from the date of issue of this notice by the said M/s. Golden Company, 38, Dupleix Street, Pondicherry or any Bank or any other party who may be interested in them.

In view of what is stated above, M/s. Golden Company, 38, Dupleix Street, Pondicherry or any Bank or any other party who may be interested in the said licence No. E. 980193/59/EI/CI/P dated 17th September 1959 is hereby directed not to enter into any commitment against the said licence.

M/s. Golden Company,  
38, Dupleix Street,  
Pondicherry.

[No. 3(5)/60/I(3)/1698.]

**S.O. 1124.**—It is hereby notified that in exercise of the powers conferred by clause 9(a) of the Imports (Control) Order 1955 the Government of India in the Ministry of Commerce and Industry propose to cancel licence No. E. 980111/59/EI/CI/P dated 13th October 1959 valued at Rs. 500/- for the import of Other lamps from the Soft Currency Area except South Africa, granted by the Controller of Imports and Exports, Pondicherry to M/s. K. E. M. Mohamed Ibrahim Maricar, P.B. No. 1, Karaikal unless sufficient cause against this is furnished to the Joint Chief Controller of Imports and Exports, Madras within ten days from the date of issue of this notice by the said K. E. M. Mohamed Ibrahim Maricar, P.B. No. 1, Karaikal or any bank or any other party who may be interested in them.

In view of what is stated above, M/s. K. E. M. Mohamed Ibrahim Maricar, P.B. No. 1, Karaikal or any Bank or any other party who may be interested in the said licence No. E. 980111/59/EI/CI/P dated 13th October 1959 are hereby directed not to enter into any commitment against the said licence.

M/s. K. E. M. Mohamed Ibrahim Maricar,  
P.B. No. 1,  
Karaikal.

[No. 3(5)/60/I(3)/1698.]

C. R. KRISHNASWAMY RAO SAHIB, Jt. Chief Controller.

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(Indian Standards Institution)

*New Delhi, the 25th April 1960*

**S.O. 1125.**—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that five licences, particulars of which are given in the Schedule hereto annexed, have been renewed.



## THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee	Article Process covered by the licence	Relevant Indian Standard
		From	To			
1	CM/L-78 24-4-1958	1-5-1960	30-4-1961	M/s. Crossley & Towers Private Ltd., 3, Robinson Street, Calcutta-1.	Tea-Chest Plywood Panels.	IS: 10-1953 Specification for Plywood Tea-Chests (Revised)
2	CM/L-79 24-4-1958	1-5-1960	30-4-1961	M/s. National Timber Industries, 3 & 4, Rashmoni Bazar Road, Calcutta-10.	Do.	Do.
3	CM/L-82 24-4-1958	1-5-1960	30-4-1961	M/s. Dhubri Plywood Factory, Dhubri.	Do.	Do.
4	CM/L-85 24-4-1958	1-5-1960	30-4-1961	M/s. Hindustan Timber Industries, 41, Chaulpatty Road, Beliaghata, Calcutta-10.	Do.	Do.
5	CM L-86 24-4-1958	1-5-1960	30-4-1961	The Surma Match and Industries Pvt. Ltd., 67 B, Netaji Subhas Road, Calcutta-1.	Do.	Do.


[No. MD 12-144]

New Delhi, the 28th April 1960

S.O. 1126.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standards Marks, designs of which together with the verbal description of the designs and the titles of the relevant Indian Standards are given in the Schedule hereto annexed, have been specified.

These Standard Marks, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the rules and regulations framed thereunder, shall come into force with effect from 1st May 1960.

## THE SCHEDULE

Sl. No.	Design of the Standard Mark	No. and Title of relevant Indian Standard	Verbal description of the design of the Standard Mark
1	2	3	4
1		IS : 692-1957 Specification for Paper Insulated Lead Sheathed Cables for Electricity Supply	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number designation of the Indian Standard being inscribed in the top side of the monogram as indicated in the design.

1

2

3

4

2



IS : 1322-1959 Specification for Bitumen Felts for Waterproofing and Damp-Proofing

The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number designation of the Indian Standard being inscribed in the top side of the monogram as indicated in the design.

[No. MD/17 - 2]

**S.O. 1127.**—In pursuance of sub-regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee per unit for certain products/classes of products, details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1st May 1960.

## THE SCHEDULE

Sl. No.	Product Class of Products	No. and Title of relevant Indian Standard	Unit	Marking Fee per unit
1	Paper Insulated Lead-Sheathed Cables.	IS 692-1957 Specification for Paper Insulated Lead Sheathed Cables for Electricity Supply.	One hundred yards	25 np
2	Bitumen Felts for Waterproofing and Damp-Proofing, Grades, 1, 2 and 3	IS : 1322-1959 Specification for Bitumen Felts for Waterproofing and Damp-Proofing.	One thousand yards	Rs. 2.00 with a minimum of Rs. 3,000 for production during a calendar year.



[No. MD/18-2]

New Delhi, the 27th April 1960

**S.O. 1128.**—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standard Marks, designs of which together with the verbal description of the designs and the titles of the relevant Indian Standards are given in the Schedule hereto annexed, have been specified.

These Standard Marks, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the rules and regulations framed thereunder, shall come into force with effect from 1st May, 1960.

THE SCHEDULE

Serial No.	Design of the Standard Mark	No. and title of relevant Indian Standard	Verbal description of the design of the Standard Mark.
1	2	3	4
		IS:1005-1957 Edible Maize Starch (Corn Flour).	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number designation of the Indian Standard being inscribed in the top side of the monogram as indicated in the design.
		IS:1184-1957 Maize Starch for use in the Cotton Textile Industry.	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number designation of the Indian Standard being inscribed in the top side of the monogram as indicated in the design.

[No. MD/17.2.]

**S. O. 1129.**—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee per unit for Maize Starch, details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1st May 1960.

THE SCHEDULE

Sl. No.	Product/Class of Products.	No. and Title of relevant Indian Standard	Unit	Marking Fee per Unit
1	Maize Starch	<div style="display: flex; align-items: center;"> <div style="font-size: 3em; margin-right: 10px;">{</div> <div>                     (i) IS: 1005-1957 Edible Maize Starch (Corn Flour)                      (ii) IS: 1184-1957 Maize Starch for Use in the Cotton Textile Industry                 </div> </div>	One Ton	25 nP, with a minimum of Rs. 2,000 for production during a calendar year.

[No. MD/18-2]

C. N. MODAWAL, Dy. Dir., Marks.

MINISTRY OF STEEL, MINES AND FUEL

(Department of Iron & Steel)

New Delhi, the 28th April 1960

**S.O. 1130.—ESS.COMM/Iron AND STEEL-2(c)/AM(66).**—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control)

Order, 1956, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India, in the Ministry of Steel, Mines and Fuel, No. S.R.O. 2041/ESS. COMM/IRON AND STEEL-2(c), dated the 11th June, 1957, as amended from time to time, namely:—

In the Schedule annexed to the said notification, in columns 2 and 3 thereof, against 'ASSAM', the following entries shall be added, namely:—

2	3
"3. The Director of Industries, Government of Assam, Shillong.	4, 5, 12 (2), 18, 20 and 24 (b, c & d)".
	[No. SC(A)-1(2)/59.]
	M. C. MISRA, Under Secy.

### MINISTRY OF HEALTH

*New Delhi, the 22nd April 1960*

**S.O. 1131.**—In exercise of the powers conferred by sub-clause (ii) of clause (b) of section 3 of the Drugs Act, 1940 (23 of 1940), the Central Government hereby specifies as drug the following substance, namely:—

"Benzene Hexhachloride."

[No. F. 1-40/59-D.]

M. K. KUTY, Dy. Secy.

*New Delhi, the 25th April 1960*

**S.O. 1132.**—In exercise of the powers conferred by sub-section (1) of section 14, of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M.D. (Florence—Italy) and M.D. (University of Leipzig and Munich—Germany) shall be recognised medical qualification for the purposes of this Act.

[No. 17-2/60-MI.]

**S.O. 1133.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M.D. (Pennsylvania—U.S.A.) shall be a recognised medical qualification for the purposes of this Act.

[No. 17-2/60-MI.]

**S.O. 1134.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M. D. (Montreal-Canada) shall be a recognised medical qualification, for the purposes of this Act.

[No. 17-2/60-MI.]

**S.O. 1135.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M. D. granted by the University of Colorado School of Medicine shall be a recognised medical qualification for the purposes of this Act.

[No. 17-2/60-MI.]

## ORDERS

*New Delhi, the 25th April 1960*

**S.O. 1136.**—With reference to the notification of the Government of India, Ministry of Health No. 17-2/60-MI, dated the 22nd April, 1960 according recognition to the Medical qualification M. D. granted by the University of Colorado School of Medicine for the purposes of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, in exercise of the powers conferred by the proviso to sub-section (1) of section 14, directs that the medical practice by Paul W. Yardy, an American, possessing the said qualification, shall be limited to the institution of Umri Mission Hospital, for a period of two years with effect from the date of this order or so long as Dr. Paul W. Yardy continues to work in the said institution for purposes of teaching, research or charitable work, whichever is shorter.

[No. 17-2/60-MI.]

**S.O. 1137.**—With reference to the notification of the Government of India, Ministry of Health No. 17-2/60-MI dated the 22nd April, 1960 according recognition to the Medical qualification M. D. (Montreal-Canada) for the purposes of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, in exercise of the powers conferred by the proviso to sub-section (1) of section 14, directs that the medical practice by Dr. (Miss) Teresa Maria Boria, an Italian, possessing the said qualification, shall be limited to the institution of 'Bharatiya Arogya Nidhi' Organisation, for a period of two years with effect from the date of this order or so long as Dr. (Miss) Teresa Maria Boria continues to work in the said institution for purposes of teaching, research or charitable work, whichever is shorter.

[No. 17-2/60-MI.]

**S.O. 1138.**—With reference to the notification of the Government of India, Ministry of Health No. 17-2/60-MI, dated the 22nd April, 1960 according recognition to the Medical qualification M. D. (Pennsylvania-U.S.A.) for the purposes of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, in exercise of the powers conferred by the proviso to sub-section (1) of section 14, directs that the medical practice by Dr. Helen Cecilia Lalinsky, an American, possessing the said qualification, shall be limited to the institution of Holy Family Hospital, Delhi for a period of two years with effect from the date of this order or so long as Dr. Helen Cecilia Lalinsky continues to work in the said institution for purposes of teaching, research or charitable work, whichever is shorter.

[No. 17-2/60-MI.]

**S.O. 1139.**—With reference to the notification of the Government of India, Ministry of Health No. 17-2/60-MI dated the 22nd April, 1960, according recognition to the Medical qualification M. D. (Florence-Italy) and M. D. (University of Leipzig and Munich) for the purposes of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government in exercise of powers conferred by the proviso to sub-section (1) of section 14, directs that the medical practice by Dr. (Miss) Hedwing Luise Meyer, a German, possessing the said qualification, shall be limited to the institution of Mission Hospital Dohad (Hamilton Cleery Hospital), for a period of two years with effect from the date of this order or so long as Dr. (Miss) Hedwing Luise Meyer continues to work in the said institution for purposes of teaching, research or charitable work, whichever is shorter.

[No. 17-2/60-MI.]

A. K. DAR, Under Secy.

*New Delhi, the 29th April 1960*

**S.O. 1140.**—In exercise of the powers conferred by rule 4 of the Indian Aircraft (Public Health) Rules, 1954 and in supersession of the Government of India, Ministry of Health notification No. F. 16-2/56-IH, dated the 6th April, 1956, the Central Government hereby directs that an aircraft on entering India from any place outside

India shall land only at Bombay Airport (Santacruz) or Calcutta Airport (Dum Dum).

Provided that nothing contained in this notification shall apply to:—

- (i) an aircraft operating between Ceylon and India via Tiruchirapalli or Madras Airport;
- (ii) an aircraft operating between Afghanistan and India via Amritsar;
- (iii) an aircraft operating between Singapore and India via Madras Airport;
- (iv) an aircraft operating between Nepal and India;
- (v) an aircraft which has obtained health clearance at Karachi Airport;
- (vi) an aircraft permitted under special conditions to make Delhi Airport (Palam) as first airport of landing in India.

[No. F. 16-1/59-IH.]

T. V. ANANTANARAYANAN, Under Secy.

## MINISTRY OF TRANSPORT & COMMUNICATIONS

(Department of Transport)

(Transport Wing)

(MERCHANT SHIPPING)

*New Delhi, the 29th April 1960*

**S.O. 1141.**—In exercise of the powers conferred by rule 5 of the Indian Merchant Shipping (Seamen's Employment Office, Bombay) Rules, 1954, the Central Government hereby appoints Shri E. A. Jenkins as a member representing the Shipowners on the Seamen's Employment Board (Foreign-going), at the Port of Bombay, in place of Shri N. H. G. Grant who has resigned, and makes the following amendment in the notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) No. 12-MT(52)/57, dated the 28th August, 1958, namely:—

In the said notification, for entry No. 7, the following entry shall be substituted, namely:—

"7. Shri E. A. Jenkins."

[No. 15-MT(4)/60.]

*New Delhi, the 1st May 1960*

**S.O. 1142.**—In exercise of the powers conferred by rule 5 of the Indian Merchant Shipping (Seamen's Employment Office, Calcutta) Rules, 1954, the Central Government hereby appoints Shri L. W. Balcombe and Captain A. Mcsweeney as members representing the Shipowners on the Seamen's Employment Board at the port of Calcutta in place of Shri B. E. P. Broughton and Captain J. Wharry, who have resigned and makes the following amendment in the notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) No. 15-MT(1)/59, dated the 9th July, 1959, namely:—

In the said notification, for entries Nos. 7 and 10, the following entries shall be substituted, namely:—

"7. Shri L. W. Balcombe.

10. Captain A. Mcsweeney."

[No. 15-MT(3)/60.]

S. K. VENKATACHALAM, Dy. Secy.

(Department of Communications and Civil Aviation)

(P. & T. Board)

*New Delhi, the 2nd May 1960*

**S.O. 1143.**—In pursuance of Section III (1)(a) of rule 434 of the Indian Telegraph Rules, 1951 (as amended by S.O. 627 dated 8th March 1960) the Telegraph Authority hereby declares that the Telephone Exchange Systems at the following

places which were working under Message Rate System shall be brought on to the Measured rate system with effect from 1st April 1960.

- (1) Agra.
- (2) Ahmedabad.
- (3) Ajmer.
- (4) Allahabad.
- (5) Amritsar.
- (6) Alleppey.
- (7) Asansol.
- (8) Bangalore.
- (9) Bareilly.
- (10) Bhavnagar.
- (11) Bihar Coal field exchanges.
- (12) Bikaner.
- (13) Bombay .
- (14) Calcutta.
- (15) Cochin.
- (16) Coimbatore.
- (17) Delhi.
- (18) Ernakulam.
- (19) Ghaziabad.
- (20) Hyderabad.
- (21) Indore.
- (22) Jabalpur.
- (23) Jaipur.
- (24) Jodhpur.
- (25) Jullundur.
- (26) Kanpur.
- (27) Kottayam.
- (28) Kozhikode.
- (29) Lucknow.
- (30) Ludhiana.
- (31) Madras.
- (32) Mangalore.
- (33) Meerut.
- (34) Muzaffarpur.
- (35) Mysore.
- (36) Nagpur.
- (37) Patna.
- (38) Poona.
- (39) Quilon.
- (40) Raipur.
- (41) Rajkot.
- (42) Salem.
- (43) Simla.
- (44) Trichur.
- (45) Trivandrum.
- (46) Vijayawada.
- (47) Vellore.

[No. 10-2/60R.]

S MAHADEVA IYER, Director of Phones.

**MINISTRY OF WORKS, HOUSING & SUPPLY***New Delhi, the 28th April 1960*

**S.O. 1144.**—In pursuance of clause (b) of section 2 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (30 of 1952), the Central Government hereby authorises the City Surveyor Officer in the District of Nasik, State of Bombay to perform the functions of a competent authority under the said Act for the area within his jurisdiction.

[No. EE-11(1)/60.]

R. C. MEHRA, Under Secy.

**MINISTRY OF REHABILITATION.***New Delhi, the 25th April, 1960.*

**S.O. 1145.**—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the State of Madhya Pradesh for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the Schedule hereto annexed.

**THE SCHEDULE**

Serial No.	Particulars of the property	Name of the town and locality/ village in which the property is situated	Name of the evacuee with parentage
1	House	Ingle Saheb Ki Goth, Lashkar.	Shri Wafati son of Panne Khan.
2	House	Mama Kak Bazar, Lashkar	Shrimati Rehmat daughter of Reham Khan.
3	House	Hatiya Pura, Gwalior	Shri Tantiya son of Mayam Kunjra.
4	House	Chutta Ki Bazariya, Lashkar	Shri Abdul Gafoor son of Adbulla.
5	House	Villa Garona Morar	Shrimati Shakuran widow of Gulab Khan.
6	House	Am-Kho, Lashkar	Shri Mohammad Ismail son of Hussain Bux.
7	House	Farahat Pura, Bhopal	Shri Mohammad Hanif son of Mohammad Khan.
8	House	Behind old Police Station, Jhangirabad, Bhopal.	Shri Idrish Khan, Yakub Khan and Mijjan Bi sons and wife of late Yakub Ali Khan.
9	House	Opposite Parade Ground, Jhangirabad, Bhopal.	Shri Idrish Khan, Yakub Khan and Mijjan Bi sons and wife of late Yakub Ali Khan.

[No. 1 (1220)-58/Comp. III Prop-I]

*New Delhi, the 28th April 1960*

**S.O. 1146.**—Whereas the Central Government is of opinion that it is necessary to acquire certain evacuee properties specified in the Schedule below, in the State of Rajasthan for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the said evacuee properties.



## THE SCHEDULE

Sl. No.	Name of town	Property Number	Description	Locality	Name of evacuee owner
1	2	3	4	5	6
1	Kama . . .	3/9	Plot	Baboo Bas	Shri Habibullah son of Ahmed.
2	Kama . . .	3/100	Shop	Katra	Shri Habibullah son of Ahmed.
3	Kama . . .	3/106	Pucca House	Baboo Bas.	Shri Sukha son of Jambu.
4	Kumher . . .	3/127	Mud shop	Ward-Number 3	Shri Nanoo Manihar.
5	Dholpur . . .	C/132	Pucca House	Bada-mir-Sahib	Shri Adam son of Gulzar Ali.
6	Dholpur. . .	C/149	Pucca House	Dhool-Kot	Shri Maksood Dabhu.
7	Dholpur . . .	C/2	Kham House	Gadar Para	Shri Nawab Kahan son of Munawarkhan.
8	Bari. . . . .	C/353	Pucca House	Malik Para	Shri Abdul Gani Mohamad Syed son of Ali Hussain.
9	Bari . . . . .	C 420	House (demolished)	Chakla	Masamat Chuhiya.
10	Bari. . . . .	C 368	Pucca House	Sangtrash	Shri Ida son of Nai Khan.
11	Bari . . . . .	C/421	Pucca House (Demolished)	Chakla	Masamat Chuhiya.
12	Weir. . . . .	4/30	House	Ward Number 4	Shri Budha.
13	Weir. . . . .	4/73	Plot	Ward Number 4	Shri Zahoor bux son of Mahboob bux.
14	Bhusawar . . .	4/39	House	Ward Number 4	Shri Bhondu Dyer.
15	Bhusawar . . .	4/40	House	Ward Number 4	Shri Mohammed Dyer.
16	Bayana . . . .	3/21	Plot	Ward Number 4	Shri Nasroo Nadir.
17	Savai Madhopur.	12	House	Mirza Mohalla	Shri Haider Hussain.
18	Sunnei Dist. Jhalawar.	10	House	Bohara	Shri Nazar Ali.
19	Sunnei Dist. Jhalawar.	1334	House	Bohara	Shri Faqrudinn.

[No. F. 1 (1221)-58/Comp. III/Prop-1/Part. II.]

KANWAR BAHADUR,

Settlement Commissioner & *Ex-Officio* Dy. Secy.

(Office of the Chief Settlement Commissioner)

New Delhi, the 19th April 1960

**S.O. 1147.**—Whereas the Central Government is of opinion that it is necessary to acquire certain evacuee properties in the State of Uttar Pradesh, specified in the Schedule annexed hereto, for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the said Schedule.

## THE SCHEDULE

All Sir and Khud-Kasht rights of the evacuees which have become Bhumi-dharis under the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 (Uttar Pradesh Act No. 1 of 1951), (hereinafter referred to as the Uttar Pradesh Act) and which have not been transferred to non-displaced persons under the Uttar Pradesh Act, or under clause (o) of sub-section (2) of section

10 of the Administration of Evacuee Property Act, 1950 (31 of 1950), by the Custodian of Evacuee Property, Uttar Pradesh.

2. All tenancy rights of the evacuees which have become Sirdaris under the Uttar Pradesh Act and in respect of which no Bhumidhari rights have been conferred on nondisplaced persons under the Uttar Pradesh Act or which have not been transferred to such persons under clause (o) of sub-section (2) of section 10 of the Administration of Evacuee Property Act, 1950 (31 of 1950), by the Custodian of Evacuee Property, Uttar Pradesh.

### *Exceptions*

The properties falling under any one or more of the following categories shall not be covered by this notification:—

(1) any such property which has already been acquired under sub-section (1) of section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), in pursuance of the following notifications of the Government of India in the Ministry of Rehabilitation.

(i) Notification No. FI(3)(5)/56-SIII(1), dated 30th November, 1956.

(ii) Notification No. FI/3/11/57-SIII, dated 26th November, 1957.

(2) any such property—

(i) In respect of which proceedings are pending before any authority at the date of this notification, under the Administration of Evacuee Property Act, 1950 (31 of 1950), in which the question at issue is whether the property is or is not evacuee property; or

(ii) in respect of which the period of limitation if any, fixed for an appeal or revision under the said Act for disputing the vesting of the property in the Custodian as evacuee property has not expired;

(3) any such property in respect of which a certificate has been granted under sub-section (1) of section 16 of the Administration of Evacuee Property Act, 1950 (31 of 1950), as that sub-section stood prior to its amendment by the Administration of Evacuee Property (Amendment) Act, 1956 (91 of 1956), or in respect of which an application for the grant of a certificate under the said sub-section is pending at the date of this notification;

(4) any such property which has been restored under section 16 of the Administration of Evacuee Property Act, 1950 (31 of 1950), or in respect of which an application for its restoration is pending under that section at the date of this notification or in respect of which the period of limitation for making such application has not expired;

(5) any such property which before the date of this notification has been transferred and the transfer is effective under section 40 of the Administration of Evacuee Property Act, 1950 (31 of 1950), or in respect of which any proceedings under the said section are pending on the date of this notification;

(6) any such property which is a composite property within the meaning of the Evacuee Interest (Separation) Act, 1951 (64 of 1951);

(7) any such property in respect of which any proceedings are pending in a Civil Court wherein the question at issue is whether the property is evacuee property or not; and

(8) any such property which on the date of this notification is being treated or is being managed as a trust property for a public purpose of a religious or charitable nature under sub-section (i) of section II of the Administration of Evacuee Property Act, 1950 (31 of 1950)

[No. 2(13)/Policy-II/59.]

*New Delhi, the 27th April 1960*

**S.O. 1148.**—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed, in the Union territory of Delhi for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the said Schedule.

#### THE SCHEDULE

Sl. No.	Particulars of Property. Khewat No.	Khasra No.	Area		Name of the evacuee with the rights in the property	Remarks
			Big.	Bis.		
VILLAGE 'MONOKA'						
I	397 1150 to 1152.	2387 2	3	17	Maulvi Abdul Wahid	Ownership rights.
		2393/1	0	3	S/o Sayed Hasan Ali & Nur-ul-hasan	
		TOTAL	4	00	S/o Zulf Akar Ali (equal share) evacuees.	

[No. 1(5)/Policy-II/59.]

**S.O. 1149.**—In exercise of the powers conferred by sub-section (i) of section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government hereby appoints for the State of Madhya Pradesh, Shri Ghanshyam Singh Managing Officer under the Regional Settlement Commissioner, Indore as Assistant Custodian for the purpose of discharging the duties assigned to the Custodian by or under the said Act with effect from the date he took over charge of his office.

[No. 4(10)-Admn(Prop)/60.]

**S.O. 1150.**—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Comp. & Rehab.) Act, No. 44 of 1954, the Central Government hereby appoints for the State of Madhya Pradesh Shri Ghanshyam Singh as Managing Officer, for the custody, management and disposal of compensation pool.

[No. 4(10)-Admn(Prop)/60.]

KANWAR BAHADUR,

Settlement Commissioner (A) & *Ex-Officio* Dy. Secy.

#### DELHI DEVELOPMENT AUTHORITY

*New Delhi, the 25th April 1960*

**S.O. 1151.**—In pursuance of the provisions of Sub-Section (4) of Section 22 of the Delhi Development Act, 1957 it is hereby notified that the Delhi Development Authority has replaced at the disposal of the Central Government the Land described in the schedule below for placing it at the disposal of the Civil Aviation Department.

#### SCHEDULE

Land measuring 2 Bighas 9 Biswas bearing Khasra No. 644/458 situated in Arakpur Bagh Mochi.

The above land is bounded as follows:

North—Nazul land  
South—Nazul land  
East—Nazul land  
West—Road.

[No. L.1(32)54.]

M. L. GUPTA, Secy.

## MINISTRY OF LABOUR & EMPLOYMENT

*New Delhi, the 27th April 1960*

**S.O. 1152.**—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the industrial dispute between the employers in relation to the Lloyds Bank Limited, New Delhi and their workmen.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI**

PRESENT:

Shri E. Krishna Murti, Central Government Industrial Tribunal.

*New Delhi, the 6th April, 1960.*

I. D. No. 589 of 1959

BETWEEN

The employers in relation to the Lloyds Bank Ltd., New Delhi,

AND

Their workman Shri K. C. Mittal.

Shri Major Brar *for the management.*

Shri J. B. Kashyap with Shri H. L. Parvana *for the workman.*

AWARD

By G. O. No. LR II-10(78)/59, dated the 8th October, 1959, the industrial dispute between the employers in relation to the Lloyds Bank Ltd., New Delhi, and their workman Shri K. C. Mittal has been referred to this Tribunal for adjudication under Sections 10(1)(d) of the industrial disputes Act, 1947 (14 of 1947).

2. The term of reference is as follows:—

Whether, in view of the duties performed and responsibilities held by him since 1st April, 1954, Shri K. C. Mittal of the Lloyds Bank Limited, New Delhi Branch is entitled, with effect from 1st January, 1959, to a special allowance of Rs. 50 per mensem, admissible to Supervisors under para 164(b) of the Sastry Award as modified.

3. The allegations in the statement of claim are, that the Lloyds Bank Limited, New Delhi did not implement the Sastry Award, in respect of the payment of special allowance, to Shri K. C. Mittal, that the Bank did not pay him Rs. 50 as prescribed in Paragraph 164(b) of the said Award, that he earned special increment for his efficiency, that he was performing supervisory duties, that on 26th August, 1957, Shri Mittal was transferred to Despatch Department, that, since his transfer to the Despatch Department, Shri Mittal had been entrusted with the duties, as mentioned in the statement of claim, that he is entitled to recover Rs. 50 per month under Paragraph 164(b) of the Sastry Award, in view of the duties and responsibilities performed by him, that, in spite of various demands, the Bank has not been pleased to pay the said amount, and that the management should be directed to pay special allowance of Rs. 50 per month to Shri K. C. Mittal, with effect from 1st April, 1954.

4. The contention on behalf of the Bank is, that there is no industrial dispute, that the reference is *ultra vires*, that this Tribunal lacks jurisdiction to proceed with the matter, that the Sastry Award is no longer in force, that Shri Mittal was not doing any supervisory duties, that he was never given powers of higher responsibilities involving supervision, that he was working as a clerk Incharge of Pass-Book Statement for sometime, that he was only doing duties, as alleged in the statement of claim since 1947 to August, 1957, that it was found, that he was not able to cope with that work on account of his ill health, that he was transferred from Pass-Book Section to Despatch Section, that since September, 1957, he is doing only the duties, as set out in the written statement, that he is not entitled to recover the amount of Rs. 50 as special allowance, that he is still receiving the amount of Rs. 20, that was being paid to him in the past, and that he is not entitled to recover the amount, as claimed.

5. The following issues were framed:

- (1) Whether there is an industrial dispute?
- (2) Is the reference valid?

(3) What are the duties performed by Shri K. C. Mittal?

(4) Whether he is entitled to the special allowance, as claimed?

(5) Whether, in view of the duties performed as responsibilities held by him since 1st April, 1954, Shri K. C. Mittal of the Lloyds Bank Limited, New Delhi Branch is entitled, with effect from 1st January, 1959, to a special allowance of Rs. 50 per mensem, admissible to Supervisors under para 164(b) of the Sastry Award, as modified?

(6) To what relief is the workman entitled?

Issues No. 1 and 2.

6. This is a dispute between the employers in relation to the Lloyds Bank Ltd., New Delhi, (hereinafter referred to as the Bank), and their workmen.

7. The objection has been taken on behalf of the Bank, that there is no industrial dispute in respect of the matter referred for adjudication, and that the reference is *ultra vires*, and illegal, and that this Tribunal has no Jurisdiction to proceed with the matter. The dispute relates to the claim of Shri K. C. Mittal, to an amount of Rs. 50 as special allowance, by virtue of Paragraph 164(b) of the Sastry Award. Paragraph 164(b) of the Sastry-Award lays down the scale of special allowance to be paid to various types of employees. There is no dispute, that the present Bank is an A Class Bank. The claim is made for recovery of Rs. 50 per month by way of special allowance, on the ground, that the duties and responsibilities, that were entrusted to Shri K. C. Mittal, were of a Supervisory nature, that he comes within category 9 in Paragraph 164(b), and that, therefore, he is entitled to Rs. 50 as special allowance. It is laid down in paragraph 167 at page 51 as follows:—

"In most of those cases the 'accountants' will probably be officers. There will however be incumbents of such posts, though going under the dignified designation of accountants who are in reality only senior clerks doing higher type of clerical work involving an element of supervision over other clerks as part of their duties. In such cases where they can properly be regarded as workmen the minimum allowances which we have fixed for sub-accountants would equally apply to them."

8. The question now is, whether Shri K. C. Mittal was discharging such duties involving an element supervision over other clerks as would entitle him to the special allowance, as prescribed in Paragraph 164(b), category 9. The claim to recover the special allowance, on the ground, that Shri Mittal was discharging such duties, entitling him to special allowance, when resisted raises an industrial dispute, within the meaning of the definition of the term in Section 2(k) of the Industrial Disputes Act. The subject-matter of the present dispute is connected with the employment, and the conditions of labour, of Shri Mittal, and, therefore, there is an industrial dispute. By no means can it be said, that the reference made by the appropriate Government, the Central Government in this case, is *ultra vires*, or illegal, and this Tribunal has jurisdiction to proceed with the matter.

9. However, it has been contended, that the Sastry Award is no longer in force. This contention is untenable, and nothing has been placed before me in order to prove, that the said Award and the subsequent modifications thereof, as embodied in Act 46 of 1955, have ceased to govern the facts of this case. I find on these issues, that there is an industrial dispute, that the reference is valid, and that this Tribunal has jurisdiction to proceed with the matter.

Issues No. 3-5.

10. The question next is with reference to the claim of Shri Mittal to recover an amount of Rs. 50/-. It will be seen from the reference, that the question raised is, whether, in view of the duties performed by Shri Mittal since 1st April 1954, he is entitled to recover, with effect from 1st January 1959, the special allowance of Rs. 50/- per month.

11. Before dealing with the merits of the matter, the contention has been raised on behalf of the Bank, that Shri Mittal's claim must be confined only to the period from 1st January 1959, and that it cannot extend to a date anterior thereto. In Paragraph 20 of the statement of claim, it is alleged, that the management should be directed to pay the special allowance of Rs. 50/- per month to Shri K. C. Mittal, with effect from 1st April 1954, the date when the Sastry Award came into operation, as since that date Shri Mittal had been performing the duties and holding the responsibilities entitling him to the said allowance. As the wording of the reference

stands, it is not possible to up-hold the contention on behalf of the workman, that the claim for special allowance should be considered with effect from 1st April 1954. A plain reading of the term of reference indicates, that the claim must be confined only to the period from 1st January 1959. Even assuming for a moment, for the sake of argument, that Shri Mittal was performing such duties as to entitle him to recover the special allowance of Rs. 50/-, as envisaged in the relevant paragraph of the Sastry Award, such claim cannot be entertained, in the face of the reference, to any period other than that from 1st January 1959. By virtue of the reference, even granting for the sake of argument that he had been discharging, the special duties and responsibilities, as alleged by him, and entitling him to the special allowance, even from 1st April 1954, he will be entitled to recover in this proceeding the special allowance of Rs. 50/- only from 1st January 1959, and not from any date earlier than the same. Therefore, in my opinion, as the reference stands, the claim must be confined to the period from 1st January 1959 only.

12. The question, then, is, whether Shri K. C. Mittal is entitled to recover Rs. 50/- by way of special allowance from 1st January 1959. This will depend upon the question, whether he was performing the duties entitling him to such special allowance from 1st January 1959. It will be necessary to consider, whether the duties, which he was performing since the date mentioned above, were such as to entitle him to receive such special allowance. It is important to note, that his designation is only that of a clerk. But it is not the nomenclature alone that matters. The duties and responsibilities, which Shri Mittal was discharging, would be the criterion. This is clear from the decision in the Sastry Award. I may also refer to page 83, Paragraph 140, of the Award of the Labour Appellate Tribunal, where, in considering the question of special allowance, it was laid down, that equivalents were helpful but did not exhaust the subject, and that the Banks must pay the appropriate allowance having regard to the duties and responsibilities of a post.

13. It is also important to note, that Shri Mittal's claim, for recovery of special allowance can be confined only to the period during which he was discharging the special duties and responsibilities, entitling him to such allowance. It is observed in Paragraph 168 at page 51 of the Sastry Award as follows:—

“We must also make mention of certain categories described by such terms as junior assistants and senior assistants and classified by some banks as officers. The terms do not by themselves indicate the nature of the work entrusted to them. Irrespective of their designation, in so far as their work falls under clerical work, though of a higher type, as explained by us in our discussion relating to categories of workmen in our award in a later chapter, they must also be entitled to the scales of pay, minimum special allowance, etc. which we have prescribed for the appropriate kind of work, during such periods as they are in charge of that kind of work. It is not possible to give a more precise or detailed direction in this matter. We trust that the banks will act in the true spirit of these directions”. It is, therefore, obvious, that Shri Mittal will be entitled to recover the special allowance of Rs. 50/- from 1st January 1959 only, if it is proved, that from that date, he was discharging the duties and responsibilities relating to the kind of work, as envisaged in Paragraph 164(b). If he was not doing these duties since 1st January 1959, he is not entitled to recover the special allowance.

14. The point, therefore, for decision, is, whether Shri Mittal was discharging such duties and responsibilities from 1st January 1959, as to entitle him to recover the special allowance of Rs. 50/-. It is admitted in the claim statement filed on behalf of the workman, that since September, 1957 he is working in the Despatch Department. It is alleged in Paragraph 12 of the claim statement, that, since his transfer to Despatch Department in August, 1957, Shri K. C. Mittal had been entrusted with the following duties:—

- (1) To pass the clearing cheques through the Ledgers upto Rs. 2,500/- only.
- (2) To verify, scrutinize and pass transfer vouchers through the Ledgers upto Rs. 2,500/- only.
- (3) To scrutinize and check posting of vouchers in the Current Account Ledgers.
- (4) To scrutinize and check posting of vouchers in the Savings Bank Ledgers.
- (5) To check and verify the interest calculated on Current Accounts and Savings Bank Accounts.
- (6) To check the Monthly Trial Balances.
- (7) To scrutinize and check the Ledger Balances.

- (8) To check the Long Books, etc. The contention however on behalf of the Bank is, that the duties performed by Shri Mittal since his transfer to Despatch Section are as mentioned in Paragraph 12 of the written statement, namely, (i) despatching of letters, (ii) passing of clearing and transfer cheques and vouchers posted by the ledger clerks, (iii) checking the ledger and long books posted by ledger keepers and long book writers.

15. In this connection reference has been made on behalf of the management to Exts. M/1-5. Obviously on his transfer to Despatch Section, Shri Mittal felt aggrieved, and he wrote the letter, Ext. M/1. In Ext. M/2 dated 27th August 1957, it is expressly mentioned, that since his transfer to the Despatch Section, by order dated 26th August 1957, the Bank had withdrawn from Shri Mittal the authority vested in him for the following work:—

- (i) To check and pass clearing vouchers.
- (ii) To check and pass transfer vouchers from the ledgers.
- (iii) To check and pass statement of accounts.
- (iv) To pass and check pass-books, etc.

It is mentioned at the bottom of page 1, that the Bank had withdrawn from him the passing and checking work, and also the authority granted to him, and that this would automatically result in withdrawing the special allowance of Rs. 20/-, and that he would also be a sufferer by losing a further amount of Rs. 10/-, earned as a consequential increase on the allowance. The workman stated, that he had been demoted, without any good or cogent reasons, and that this had resulted in financial loss of Rs. 30/- in his monthly emoluments. He prayed, that all the powers and duties and responsibilities, which had been entrusted to him since 1945, might be restored. Ext. M/3 is a copy of the resolution passed by the Lloyds Bank Employees' Union, at a meeting held on 31st August 1957. It is asserted therein, that the management had reverted Shri Mittal, without lawful reasons, and attached him to the Despatch Department as a Routine Clerk, and that the Union took a serious view of the management's action in indulging in unfair labour practice, and depriving Shri Mittal of the benefit of special allowance of Rs. 30/-. The demand was, that the management should not withdraw the benefit of Rs. 30/-, and also not withdraw from him the authority, given to him since, 1945. Ext. M/4 is a copy of the communication dated 4th May 1959, sent by Shri Mittal to the Bank. There is reference therein to the fact of his having been given standing authority No. 11, and his being authorised to pass transfer and clearing vouchers upto Rs. 5,000/- and Rs. 3,000/- respectively, from current and Savings Bank ledgers. He was also given registered keys. He worked as Clerk Incharge of the Pass-Book statements and was described as Pass Book Incharge in the Annual Increment Lists prepared by the Bank. He worked in this capacity until 26th August 1957, when the management placed an Assistant in his place. He requested the Bank, that he should be given a chance for promotion. Ext. M/5 is the report by the Conciliation Officer to the Chief Labour Commissioner, in connection with the dispute, between the parties, and reporting failure of conciliation proceedings. In paragraph 2 it is stated, that at the joint meeting held on the 24th February, 1959, Shri Mittal gave out, that he had been working in the Bank since 1942, and that by virtue of the authority given to him, he was performing certain duties. In paragraph 3 it is averred, that Shri Mittal was transferred from 1st September, 1957 to the Despatch Department, and that from 9th September, 1957, he was performing the following duties:—

- (a) Despatching the letters;
- (b) Passing of clearing and transfer cheques and vouchers posted by the Ledger Clerks;
- (c) Checking the Ledger and Long Books posted by Ledger Keepers and Long Book Writers

The remarks in paragraph 4 are to the effect, that Shri Mittal also stated, that, while prior to 1st September 1957, there were 13 clerks working under him, no clerks were working directly under him after the transfer to Despatch, and that he was not required to supervise anybody's work excepting the posting done by other clerks in the current account and Savings Bank Ledgers.

16 The documents above referred to would indicate, that the duties performed by Shri Mittal since his transfer to Despatch Department, i.e. since 1st September 1957, are only those as set out in the written statement of the management. I

am not prepared to believe, that Shri Mittal had been doing the duties, as set out in the claim statement. It is obvious, that since 1st September 1957 Shri Mittal has not been doing any supervisory duties. He does not come within the description contained in paragraph 164(b), Item 9. On the other hand the documents above referred to, would negative such a conclusion. In the resolution, Ext. M/3, the Bank was accused of having reverted or demoted Shri Mittal as a Routine Clerk. Since 1st September 1957 Shri Mittal has been only a Routine Clerk not required to supervise anybody's work. Though he has been doing the duties of passing of clearing and transfer cheques and vouchers, posted by Ledger Clerks, and checking the ledgers and long books posted by Ledger-Keepers, and Long Book Writers, these are not supervisory duties, to enable him to claim the special allowance of Rs. 50/-. At best it can be said, that Shri Mittal, in performing the above-mentioned duties, has been discharging the duties of a senior clerk. Apparently, he is still getting the special allowance of Rs. 20/-, which was given to him.

17. The evidence of Shri Mittal, WW3, is, that he was transferred to the Despatch Department on 1st September 1957. An Assistant, Shri Kohli, was put in his place, and he is in the Officer's grade. Shri Mittal says, that some duties were recorded by the Conciliation Officer, and some not. This is merely an attempt at improvisation, and I do not see sufficient grounds for ignoring the report of the Conciliation Officer. Shri Mittal has admitted Exts. M/1, 2 and 4, and says that whatever is stated in the letters is correct. Regarding the cancelling of cheques, Shri Mittal says, that he had to satisfy himself, whether the signature, date, and amount were all correct, and, if he was not satisfied, he stopped them. According to the evidence of MWI, Shri Kartar Singh, who is a Local Officer, and who is Incharge of Current Account, as No. 2, officers or any other authorised person, would pass the clearing, cancel the cheque, and initial in the ledger. The responsibility of the passing person was just the same as that of the Ledger Keeper. In case of difference between the Ledger Keeper and the Passing Officer the matter was referred to the Officer concerned in the Savings Bank or Current Section. The checking of Long Books does not involve any responsibility. Since his transfer to Despatch, Shri Mittal writes envelopes, prepares branch covering letters, has the registered covers weighed, and enters them in the outward mail register. These are the normal duties. An Assistant, Shri Satya Pal Gupta, is Incharge of this Section at present. In cross-examination it has been elicited, that he and other officers also check long books. The ledgers and long books are not audited by the Audit Section, and checking work is important work, and, in checking ledgers, the person, who checks them, must see, that the entries are correctly posted. The oral evidence also cannot be taken as proving, that Shri Mittal was doing such duties, as could be called supervisory, to enable him to claim special allowance.

18. However on behalf of the workman, Exts. W/1-5 have been relied upon. Ext. W/1 is dated 28th September 1955, Ext. W/4, 9th October 1956, Ext. W/5 1st February 1957, and Ext. W/2 15th April 1957. I have given my reasons for holding, that Shri Mittal has been doing only the three items of duties, as admitted by the management, and as set out above, since 1st September 1957. The above documents can have no material bearing on the question now at issue viz., about the duties performed since 1st January 1959. So far as Ext. W/3 is concerned, it is dated 9th September 1957, and Standard Authority No. 4. The authority is, to cancel pass Current Account/Savings Bank cheques and debit vouchers, subject to the instructions, with the following limitations, namely, clearing/Transfer only Rs. 2,500/-. It is expressly mentioned, that the authority is personal. The above authority, to cancel and pass current account and savings bank cheques and debit vouchers does not involve supervisory duties, and I have also referred to the evidence of Shri Kartar Singh in this connection. The above documents do not establish the case on behalf of the workman.

19. Nextly, the Bank was called upon to produce a number of documents. I shall refer to those subsequent to September 1957. Exts. M/34, 35 and 36 relate to the checking and clearing arrangement in the months of April, May, and June, 1958. Under the head "checking" the name of Shri K. C. Mittal is found. At the bottom of Ext. M/36, Note 1 is to the effect, that Checking Officials are responsible for checking the balances, etc., for their respective ledgers. Also against the name of Shri K. C. Mittal, the word "retiring" is found. Exts. M/37, 38, and 39 relate to clearing of cheques, and it is pointed out, that the entries are initialled by Shri Mittal, and these relate to the years 1956 and 1957. For 1958 we have Ext. M/40, and we have the initials of Shri K. C. Mittal. Exts. M/41-45 contain entries from 1954 to 1959 in Savings Bank Account. With reference to the above documents,



the evidence of Shri Mittal is, that in interest checking in Ext. M/43, there are the names of only two Assistants, and no clerks. In Ext. M/44 there are the names of two clerks, one Assistant, and himself. In Ext. M/45 there is only himself, and there are no clerks or Assistants. Now only Assistants and Clerks, who are especially authorised to do this work, can do interest checking work, and such clerks get special allowance.

20. With reference to Long Books, we have Exts. M/46-54. Exts. M/47-49 relate to the year 1958, and Ext. M/50 to 1959. Exts. M/51 to 54 are extracts from long books, but relate to the period, 1954 and 1955. They contain entries to the effect, that the ledgers were checked by Shri Mittal.

21. Next we have Exts. M/55 and 56. Balance Books, for the year 1954 and 1955, and they bear entries, showing that they had been checked by Shri K. C. Mittal. Exts. M/57 to 59 are the Charges Sheets, showing a few entries, with final totals. Among these Ext. M/59 relates to the year 1958. These extracts show the calculations of interest at the close of the half year, and that the interest was checked by Shri Mittal. There are names of other clerks, who calculated the interest, and posted the entries.

22. From the evidence referred to above, and taking the duties performed by Shri Mittal since his transfer to Despatch Section in 1957, it is hardly possible to conclude, that he was doing such supervisory duties, as to entitle him to the special allowance of Rs. 50/-, as contended on his behalf. His duties were those of a mere clerk. It may be, that a certain amount of responsibility was involved in the matter of checking the interest, in passing of clearing and transfer cheques, and vouchers, and checking the ledger and long books, posted by Ledger Clerks and Ledger Keepers and Long Book Writers. But this was merely a routine checking, and did not involve such an element of supervision, as alone would entitle Shri Mittal to claim the special allowance. At best it can be said, that he was doing the duties of senior clerk, and it was on account of the fact, that a certain amount of responsibility was involved in the discharge of his duties, as above, that he was given the special allowance of Rs. 20/-. Even in the Sastry Award, it is stated, that Head Clerks in A Class Banks would be entitled to the special allowance of Rs. 20/-. At best, the duties performed by Shri Mittal were not higher than those of a Head Clerk, and he is not entitled to recover the amount of special allowance of Rs. 50/-.

23. Moreover, it ought to be seen, that, according to the evidence of Shri Mittal, the checking work was withdrawn from the clerks in October, 1958. With reference to the extracts, filed on behalf of the Bank, he deposes, that no clerks' names appear in the documents, as doing checking work after October, 1958. Again, the following evidence of Shri Mittal is note-worthy. "In Despatch Department I do this work. I distribute the work of despatch to customers among the clerks in the Department. I receive the mail for despatch. I receive the registered mail for despatch. I receive registered mail, and have the registered mail despatched to branches." The evidence of MWI, Shri Kartar Singh, is that since his transfer to Despatch, Shri Mittal writes envelopes prepares branch covering letters, and has the registered covers weighed, and enters them in the outward mail register. These are his normal duties. He however, adds, that an Assistant was attending to registered mail formerly. The fact, that Shri Mittal distributes the work of despatch among the clerks in the Department, does not amount to saying, that he is exercising supervisory duties.

24. It has however been argued, that he is holding certain keys. According to the evidence of Shri Kartar Singh, anyone could hold the keys, irrespective of status. Quite a number of clerks and Subordinate Staff hold the keys. In cross-examination the evidence of Shri Kartar Singh is that all keys are not held by clerks and Subordinate Staff. Only officers hold keys of safe Deposit-Locks. The cheque-books are in a strong room, and an officer holds the key of the room. Keys are entrusted to officers, according to importance. He keeps the keys of specimen signature cards. There is a register, known as Key Register. Exts. M/70-72 are entries from the Key Register, and Exts. M/70 and 71 relate to the year 1953, and Ext. M/71A to 1954 to 1957. No doubt, in these the name of Shri Mittal is found. In Ext. M/72 which relates to the years 1958 and 1959, there is an entry showing the name of Shri Mittal against the words "one key of Universal Postal Franking Machine" and "One key of postage box". The holding of these keys cannot be taken to mean, that Shri Mittal has been exercising supervisory duties. Shri Mittal says in his evidence, that the box for the mail is attached to the back door of the Bank, and the key of this is held by a Covenanted Officer, who used to carry all

the mail. The fact, that the key of the box for the mail is held by a covenanted officer, does not lead to the conclusion, that Shri Mittal, holding other keys as described above, is entitled to say, that he is doing supervisory duties.

25. The evidence, considered as a whole, leads to the conclusion, that the duties performed by Shri Mittal since his transfer to the Despatch Section, are not those of a supervisory character. His duties are not such as to bring him within the category enumerated in Item No. 9 of paragraph 164(b) of the Sastry Award. Neither can it be said, that he was discharging such duties, involving high responsibility and supervision over other clerks. I find, that Shri Mittal was not discharging and has not been discharging such duties as to entitle him to claim the amount of Rs. 50/-, from the date of his transfer to the Despatch Section on 1st September 1957, and that he is not entitled to recover the special allowance of Rs. 50/- from 1st January 1959.

26. However, it has been argued, that prior to 1st September 1957, and from 1st April 1954, he was discharging such duties, as were essentially supervisory, and that, therefore, he is entitled to claim the allowance of Rs. 50/-. This contention cannot be accepted. In the first place, the reference makes it clear, that we are concerned with the claim for the recovery of special allowance only for the period from 1st January 1959, and, according to the Sastry Award, Paragraph 168, the special allowance can be claimed only during such periods, as those, in which the concerned clerks were in charge of the appropriate kind of work, and discharged such supervisory duties. Even assuming for the sake of argument, but without admitting, that Shri Mittal discharged supervisory duties prior to 1st September 1957, that does not entitle him to the special allowance as claimed. He is not entitled to such special allowance when I have found above, that he is not discharging such duties, as to entitle him to put-forward the claim for the allowance, on and from 1st September 1957, since his transfer to the Despatch Section.

27. Even apart from the above, an examination of the evidence, with reference to the duties performed by Shri Mittal, even prior to 1st September 1957, will show, that he was not discharging any such supervisory duties, as claimed on his behalf. Prior to 1st September 1957 he was discharging the duties, as mentioned in Paragraph 9 of the written statement of the Bank. They were:—

- (i) To check and initial as correct Current Account and Savings Bank Account Pass Books and Statements of Account.
- (ii) To pass debit transfer vouchers from current account and Savings Bank Account besides his duties as a Clerk-Incharge Pass Books.
- (iii) To pass cheques presented through Clearing.

Ext. W/I is a Standard Authority, which shows, that Shri Mittal was described as Clerk Incharge of Pass Books, and Statements. The Standard Authority granted to him was to check and initial as correct, Current Account and Savings Bank Account, Pass Books and Statements of Account. Ext. W/2 dated 15th April 1957 is addressed to Shri Mittal, Pass Books Incharge. He was authorised thereunder, to pass Debit Transfer Vouchers from Current Accounts and Savings Bank Ledgers upto Rs. 5,000/-, subject to instructions, and to pass cheques presented through clearing upto Rs. 3,000/- subject to instructions. There is a note, that the authority granted was personal to him, and could not be used by his Deputy, during his absence. Ext. W/4 relates to the arrangement regarding Pass Books and Statements and is dated 9th October 1956. Ext. W/5 relates to the arrangement regarding pass books and long books, as from 1st February 1957. It is important to note, that in Ext. W/I Shri Mittal is described as "Clerk Incharge of Pass Books and Statements." He was not the Departmental Incharge, so as to bring him with the description in Paragraph 9. Even granting that this authority was granted to him, he was not discharging any supervisory duties. The fact that Exts. W/4 and 5 contain a list of various clerks, in the Pass Books Department, does not mean, that Shri Mittal was supervising their work. Ext. M/17 contains the Standing instructions, regarding, statements of account, and certificates of pass books balances. Ext. M/18 is an extract from the Standing Instructions. There is the heading "Entered in register of Pass Books sent on request (Books No. 32)". In the column "Initial", the initials of Shri Mittal are found. Exts. M/24-28F are entries in registers of pass books (Book No. 32), and against the column "initial" the initials of Shri K. C. Mittal are found. The extracts from the Banks Books, relating to clearing, and checking of accounts, cheques Savings Bank: checking Long Books and Balance Books, Exts. M 29, 30, 31, 32, series, 46, 51, 52, 53,

54, 55, 56, 57 and 58 have all been referred to before me. They do not prove the contention of Shri Mittal. The mere fact, of checking of certain entries along, with the ledgers and the calculation of interest, does not sustain the contention, that he was exercising supervisory duties.

27A. Nextly Ext. M/77 contains the names of certain clerks, and as showing the local staff salary increases, from 1954 to 1957. Assuming, that these various individuals whose names are found there were working in the Pass Book Section, it cannot be taken to mean that Shri Mittal was exercising supervision over them. Because he was called clerk-in-charge, Pass books and statements, it does not follow that he was exercising supervisory duties in that section. According to the evidence of Shri Kartar Singh, as Incharge Pass Books, Shri Mittal was doing these duties. He held the key of the box, in which the customers dropped the pass books. He took out the pass books from the box, and he used to take out a certain number of pass books and give them to pass Books Writers. The clerks used to compare them and get them initialled by the Assistant, working in that Section, and then pass them on to Despatch. This was the procedure in regard to the Savings Bank Account. In regard to Current Account statements were sent periodically to customers. The statement Diary Cards were in the possession of Shri Mittal. According to the Diary, he used to take out Diary Cards and enter them in Book No. 32, or got them entered, and gave the cards to the Statement Writers, according to allocation of ledgers. The statement Writers prepared the statements. Then Shri Mittal compared the balances in the statements and sent them to Despatch. He then initialled in Book No. 32. The other duties, were clearing out 1 or 2 ledgers or Debit Transfer vouchers, or internal vouchers. Shri Mittal used to check balances of 1 or 2 vouchers, to see that the arithmetic was correct. He used to check vouchers with Long Books and Ledgers. The Ledger Balances used to be checked by clerks, holding authority, and other Assistants. I am not prepared to hold, that the duties, that were being performed by Shri Mittal, even prior to 1st September 1957, were such as to entitle him to claim the allowance, admissible to Supervisors, and other categories of employees in Paragraph 164(b). I see no sufficient grounds for disbelieving the evidence of Shri Kartar Singh, and the duties, which Shri Mittal was performing, are not such as to entitle him to the allowance.

28. However, it has been argued, that he was recommending leave applications. Exts. M/7-17 have been produced as the files containing the leave applications. According to the evidence of Shri Kartar Singh, Shri Mittal was keeping leave record prior to his becoming ill with tuberculosis. At present the leave record is in charge of Mrs. Neagale, who is in a special scale. According to the evidence of Shri Mittal, all the leave applications are sanctioned by the covenanted officer. As he used to keep the whole staff leave record, it was his duty to ascertain, whether the applicant was entitled to leave, and also the leave standing to his credit. Shri Gopichand Gupta, who worked in his department, was asked to give the above information under his initials. Exts. M/60-69 contain his initials. A perusal of the various documents, produced in this connection, do not sustain the contention on behalf of the workman, that he was recommending leave, and that the leave was being granted on his recommendation. He was not exercising any supervisory duty, in the matter of granting of leave. At best, he supplied the necessary details from the leave record, which he was incharge of. The leave was ultimately granted by the Covenanted Officer. Merely furnishing the data, necessary to enable the applicant to obtain leave, does, not bear out the contention on behalf of the workman.

29. Having regard to the entire evidence, it is clear, that even prior to 1st September 1957, Shri Mittal was not discharging such duties as to bring him with the category, mentioned in Item No. 9 of Paragraph 164(b). The contention, that he was performing these duties prior to 1st September 1957, and that, therefore, he is entitled to claim such allowance thereafter, and from 1st January 1959, is untenable, and cannot be accepted.

30. Looked at from whatever point of view, I am of opinion, that Shri Mittal is not entitled to recover the allowance claimed. I find accordingly.

Issue No. 6

31. He is not entitled to any relief.

32. In the result, an award is passed as follows:—

(i) Shri K. C. Mittal is not entitled to the special allowance of Rs. 50/- per month, admissible to Supervisors under Paragraph 164(b) of the Sastry Award, as modified, as claimed.

(ii) No order as to costs.

(Twenty-Two Pages)

6th April, 1960.

E. KRISHNA MURTI,  
Central Govt. Industrial Tribunal, Delhi.

[No. LR II/10(78)/59.]

*New Delhi, the 28th April 1960*

**S.O. 1153.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Additional Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Nowrozabad Colliery of Associated Cement Companies Limited and their workmen.

**BEFORE THE CENTRAL GOVERNMENT ADDITIONAL INDUSTRIAL TRIBUNAL, BOMBAY.**

REFERENCE (CGIT) No. 1 of 1960.

The employers in relation to the Nowrozabad Colliery of Associated Cement Cos. Ltd.

**AND**

Their workmen

**PRESENT:**

Shri Salim M. Merchant, Presiding Officer.

**APPEARANCES:**

*For the employers:* Shri G. B. Pai, Advocate, instructed by Shri K. Rajagopalaswamy, Executive Head, Associated Cement Cos., Ltd., and Shri D. S. Dighe, Senior Personnel Officer, Associated Cement Cos. Ltd.

*For the workmen:* Shri K. B. Chougule, General Secretary Nowrozabad Colliery Mazdoor Sangh and Organising Secretary, Kotma Colliery Labour Union, with Shri G. C. Jaiswal, Executive Member, Nowrozabad Colliery Mazdoor Sangh and Shri M. A. R. Quaraishi, Vice-President, Nowrozabad Colliery Mazdoor Sangh.

*Dated the 12th April, 1960.*

STATE: Madhya Pradesh.

INDUSTRY: Coal Mining.

**AWARD—PART II.**

This dispute was transferred for adjudication to me by the Central Government, Ministry of Labour and Employment's Order No. 4/42/59-I-LR II, dated 18th January, 1960, made in exercise of the powers conferred by sub-section (1) of section 33B of the Industrial Disputes Act, 1947. The dispute was in respect of 9 items specified in the schedule to the said Order, but the parties reached settlement on seven of these items and my award thereon, being award Part, I, was made on 1st April, 1960 and has been submitted to Government. Only items Nos. VI and IX of the schedule now remain to be considered.

*Item No. VI.*—Whether the monthly paid staff are entitled to any acting allowance, while employed in jobs of higher categories and responsibility? If so, at what rate."

The Union in its written statement of claim, has stated that the management normally expects the monthly paid staff to perform the duties of the higher category, whenever any member of the higher category and responsibility proceeds on leave or falls sick or is not available, but it does not pay them any higher pay by way of officiating allowance for discharging those higher duties; that the Majmudar Award in the case of daily rated workmen has directed that

whenever the work of a higher category is done by a worker of a lower category, he should be paid the wages of the higher category. The Union, therefore, demands that the monthly paid staff should also be paid officiating allowance on the same basis as the daily rated workmen viz., that whenever the monthly rated employees of a lower category officiate in the higher category, he should be paid wages for the officiating period at the rates of wages applicable to the higher category. The Union also claims retrospective effect to this award from 1948.

The Company, in its written statement in reply, has stated that it has been paying officiating allowance to its monthly rated staff on the following basis:

- (1) Whenever the employees are specifically asked (in writing) to act in a higher position or grade.
- (2) When the minimum period of acting is two weeks for monthly paid staff, and
- (3) at the rate of one graded increment applicable to the post to which the employee is asked to work.

The Company has further urged that this is a common practice in the company's cement works and there has to be a uniform rule as monthly rated workers are liable for transfer all over the company has opposed the rate of officiating allowance. The Mazmudar Tribunal's Award for the daily rated workmen being made applicable to the monthly paid staff, on the ground that the consideration for the two categories are different; that the monthly rated staff are mainly clerical, supervisory, and, "hail from a different stratum of society;" on the other hand, the daily rated staff are manual operatives and that it was presumably for some good reason that the colliery award did not prescribe the same rule as to officiating allowance for the monthly rated staff. The management has opposed any retrospective effect being given to the directions on this demand and has stated that this issue should be dismissed in limine as it is too vague and does not specify the persons who are alleged to have acted in the higher posts or at what date, for what period, and at what rate the acting allowance is claimed, and that in the absence of these particulars the management was handicapped in making its reply.

By para 351 of its decision in the appeals against the award of the Colliery Tribunal (Mazmudar Tribunal), the Labour Appellate Tribunal directed with regard to piece-rated workers that when they are employed on work other than their normal work, they shall be paid for such additional work at the rates provided for such additional work, with the further proviso that in any event for the additional work no piece-rate worker shall get less than for his normal category, but that if the additional work calls for a higher wage then he shall be given such higher wage. There are obvious difficulties in applying these directions in the case of the monthly paid staff who officiate in higher posts, because the payment made to them is not evaluated on the actual quantity of work turned out but is a fixed monthly pay.

At the hearing a reference was made to the decision of the Hon'ble Supreme Court in the case of *Burn & Co., Ltd., vs., their workmen and others* (1958-59) (15. F.J. R. p. 338 at p. 353), where their lordships observed:—

"The existing rules, however, are consistent with the recognized principle that the acting incumbent will get as acting allowance, the difference between his salary and the minimum salary of the higher post in which he is acting subject to a maximum of 25 per cent. of the incumbent's basic salary."

Shri Chougule, at the hearing, expressed satisfaction at the rates and conditions prescribed for acting allowance in the above case. Under the company's rules the officiating incumbent gets only the higher salary represented by one graded increment of the higher scale for the officiating post above the incumbent's existing salary. I think this is a low rate of officiating allowance considering recognised principles and I would therefore direct that the rate of officiating allowance shall be the rate prescribed by the Hon'ble Supreme Court in *Burn & Co's* case as stated above.

Shri Chougule, however, wanted a safeguard to be provided for the officiating incumbent who is drawing a pay equal to or higher in his own scale than the amount represented by the minimum of the scale of pay for the higher post in which he officiates, and in this connection he referred to the directions contained in the decision of the Labour Appellate Tribunal in the all India Banks dispute

where under such circumstances a provision for a minimum officiating allowance of 10 per cent. of the incumbent's pay is made. I think that such a contingency needs to be provided for, and I would therefore direct that in such cases the officiating allowance should be 10 per cent. of the pay which the officiating incumbent was getting on the date he was called upon to officiate in the higher post. The other conditions on which acting allowance is given by the company are retained. I further direct that the directions given above shall come into force from the date the award herein becomes enforceable.

Item No. 9 reads as follows:—

"Whether the retirement of Sarvashri Jehangir Khan, Charka, Ali Mohamad, Ram Prasad and Ramadhin was justified and whether they are entitled to any relief?"

The facts are that these five workmen were retired from service on different dates between 25th July, 1958 and 18th August, 1959 on reaching the age of 60 years. The particulars with regard to the designation, dates of joining service and dates of retrenchment of these five workmen as stated by the management at the hearing, which are not disputed by the union, are as follows:—

S. No.	Name	Designation	Date of joining Service	Date of retirement	Year of birth as recorded by the company
1.	Jhangir Khan	Switchboard attendant	2-7-46	18-8-59	1874
2.	Charkha	Shale picker	6-2-49	11-11-58	1881
3.	Ali Mahomed	Pallet maker	8-8-50	25-7-56	1896
4.	Ram Prasad	Miner	1-11-51	26-10-58	1890
5.	Ramadhin	Pump Driver	Particulars not stated at the hearing on the ground that they were not available in Bombay.		

At my request, the management furnished a copy of the sample notice dated 5th—23rd April, 1956 served on Sheikh Ali Mahomed, the opening paragraph of which is as follows:—

"The employees age of retirement from the company's service having been fixed at 60 years, we are addressing this personal letter to advise you that as you have already reached the prescribed age limit your services with the company will come to an end after the expiry of the period of three months from this date i.e., on and with effect from 25th July, 1956".

The union in its statement of claim has contended that as the certified standing orders of the company do not prescribe any superannuation age, the retirement of these five workmen was illegal and unjustified. It is on that basis that it claims that each of these five workmen should be directed to be reinstated in service with back wages.

The management in its written statement has stated that these five workmen were retired on the only ground that they had reached the age of 60 years and at the hearing Shri G. B. Pai conceded that the criterion for retirement was not that these five workmen were physically and mentally incapable of working any further. The management has refuted the union's contention that because the certified standing orders applicable to the colliery did not provide any age of retirement, the retirement of these workmen on reaching the age of 60 years was illegal or unjustified.

The management in its written statement has further contended that the colliery's certified standing orders did not provide for a retirement age because the Industrial Employment (Standing Orders) Act, 1946 (XX of 1946) under which the standing orders are framed, does not include the age of retirement as one of the matters in respect of which a standing order has to be framed; neither do the model standing orders framed under that Act contain a standing order regarding the age of retirement. But at the hearing no arguments were advanced in support of either of these two contentions, and therefore it is unnecessary to consider the same.

The management further contends that retirement at the age of 60 years has always been a term of service in this company and that this was reaffirmed and brought to the attention of the workmen by a notice dated 4th January 1956, a copy of which it annexed to its written statement as annexure 24. But the union at the hearing denied knowledge of any such practice and of the notice dated 4th January 1956 and it was, therefore, upon the management to have established the fact of such practice and to prove the notice dated 4th January 1956. But at the hearing the management did not lead any evidence to establish the alleged practice or to prove the notice dated 4th January 1956. Apart from this, the notice dated 4th January 1956 was in these terms:—

#### NOTICE

“Be it noted that all employees whether daily rated or monthly rated shall retire from the services of the Company on their attaining the age of 60 years.”

It will be noticed that the notice contains no reference to any practice in the company to retire its workmen at the age of 60 years as alleged by the company in its written statement. It is further significant that in none of the notices served on these five workmen (sample copy of notice on Shaikh Ali Mahomed dated 5/23/4/56 having been furnished at my request on 31st March 1960) is there any specific mention to the notice of 4th January 1956. The union, at the hearing, having denied any knowledge of the company's notice dated 4th January 1956 and the management not having led any evidence to prove the same, I hold that the company has failed to prove that there was a practice in the company to retire the workmen at the age of 60 years or that the notice dated 4th January 1956 was served on the workmen.

Even assuming that such a notice was put up on the Colliery's notice board, considering that this was not one of the terms and conditions of service when each of these five workmen joined the service of the company prior to 4th January 1956, it cannot be held that the subsequent incorporation of such a condition of service is legal or binding on them. In the case of *Guest, Keen Williams (Private) Ltd., and Sterling (P.J.) and others* (1959 'ILLJ.' p. 405 at page 413), the Hon'ble Supreme Court confirmed the decision of the Labour Appellate Tribunal that the fixing of the date of superannuation at 55 years under the certified standing orders, after the 47 concerned workmen had joined the service of the company could not be said to be reasonable and fair having regard to the fact that when they entered service there was no such limitation. In this case also it is admitted that when each of these five workmen joined the service of the company, there was no rule fixing the age of 60 years or any other age as the superannuation age and that the same was sought to be enforced for the first time by the company's notice dated 4th January 1956. It must, therefore, be held that the retirement of these five workmen was not justified and the first question under this issue must be answered accordingly.

The union in its statement of claim and at the hearing has not urged any other argument in support of its claim that each of these five workmen should be reinstated in service except this that as there was no age of superannuation fixed at the date they joined the service in the colliery, their retirement on reaching the age of 60 years, was illegal and unjustified.

The next question, which falls for consideration is whether these five workmen are entitled to any relief, and if so to what relief. In deciding the question of relief, particulars of the service of each of these five workmen and their age when they were retired must be taken into account. The first workman Shri Jehangir Khan, Switchboard attendant, joined service on 2nd July 1946 and was retired on 18th August 1959. He had thus put in 13 years service with this company. His year of birth in the records of the company is shown to be 1874. He was, thus according to the Company's record 85 years old on the date of his retirement, but on 13th April 1956, he was certified by the company's doctor to be only 58 years old. With regard to Shri Charkha, shale picker, he joined service on 6th February, 1949 and when retired on 11th November 1958 had put in nearly 9½ years' service. His year of birth in the company's record is shown to be 1885 but he was certified to be 73 years old by the company's doctor on 14th July 1958. He had thus been taken in service in 1949 when he was well past 60 years of age which fact militates against the company's story of there being a practice to retire workmen at the age of 60 years. Shri Ali Mahomed, Pallet maker joined the service of the company on 8th August 1950 and was retired on 25th July 1956. He had thus put in less

than six years service on the date of his retirement. In the records of the company his year of birth is shown to be 1896 and he was certified to be 60 years of age on 4th April 1956. Shri Ram Prasad, miner, joined service on 1st November, 1951 and was retired on 26th October 1958. The year of his birth in the record of the company is shown to be 1890; he was thus well past 60 years when he was retired. Particulars with regard to the service of Shri Ramadhin were not available but the management stated that he too was retired because he had reached the age of 60 years.

The above particulars show that these workmen had been retired after they had reached the age of 60 years. Each of them had put in not less than 5 years service, the longest service being that of Shri Jehangir Khan who had put in 13 years service. Considering that each of these workmen had reached the age of 60 years on the date of his retirement and that they were all manual workers working in a coal mine, and that in the mining industry there is a provision for certain categories of men being retired on reaching the age of 60 years, I do not think that an order to direct reinstatement as demanded by the union is at all justified. All the same, since their retirement was unjustified, and further considering that each of them had put in not less than five years' service, the demand for grant of some relief to them seems justified. After taking into consideration all the facts and circumstances of the case, I think that those of these five workmen who had put in more than 10 years' service should be paid compensation equivalent to five months' basic wages; those who had put in more than five years' service but less than 10 years' service shall be paid compensation equivalent to three months' basic wages. If any of these workmen are piece-rated the payment of compensation will be based on the average of the basic earnings of these workmen during the three months immediately preceding the date of retirement, and for those who are monthly rated the rate of basic wage shall be the average of the monthly basic wage for the last three months. For the purpose of calculating the period of service the date of termination of service shall be the date on which each workman was retired from service. I further direct that payment on the above basis shall be made within one month from the date on which this award becomes enforceable.

I therefore make an award part II on items 6 and 9 of the schedule to the order of the reference in terms aforesaid.

No order as to costs.

Sd/- SALIM M. MERCHANT.

Presiding Officer.

Central Government Additional Industrial Tribunal.

[No. 1/122/58-LRII.]

*New Delhi, the 3rd May 1960*

**S.O. 1154.**—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints for a period of six months the Regional Labour Commissioner (Central) Calcutta, as a Conciliation Officer for iron ore mines in the State of Bihar.

2. The above appointment is in addition to the appointments of conciliation officers made in the notification of the Government of India, Ministry of Labour No LR-I(80)/56 (S.R.O 2971) dated the 4th December 1956, as subsequently amended.

[No. 23/15/60-LR-II.]

## ORDERS

*New Delhi, the 28th April 1960*

**S.O. 1155.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the National and Grindlays Bank Limited, Madras, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of



1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. Ramaswamy Gounder, B.A., M.L., Retired High Court Judge, Madras, shall be the Presiding Officer with headquarters at the First Line Beach, Madras I, and refers the said dispute for adjudication to the said Industrial Tribunal.

#### SCHEDULE

Whether by virtue of the duties performed by them, the Checking Clerks of the National and Grindlays Bank Limited, Armenian Street, Madras, are entitled to any special allowance as prescribed in paragraph 164(b) of the award of the All India Industrial Tribunal (Bank Disputes) as modified by section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955? If so, how much and from what date after the 15th March, 1959?

[No. LR-II-10(130)/59.]

**S.O. 1156.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Kotma Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Additional Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

#### SCHEDULE

(i) Whether the management of Kotma Colliery were justified in dismissing the following workmen:—

- (1) Shri Deonath, trammer;
- (2) Shri Amritlal, timberman;
- (3) Shri Bhagbali, trammer;
- (4) Shri Baijnath, haulage driver;
- (5) Shri Ramnarayan, head trammer,
- (6) Shri Chhotekhan, head trammer;
- (7) Shri Jung Bahadur Singh, timberman;
- (8) Shri Rajaram, trammer.

(ii) If not, to what relief are they entitled?

[No. 2/16/60-LR.II.]

S. N. TULSIANI, Under Secy.

*New Delhi, the 27th April 1960*

**S.O. 1157.**—In pursuance of clause (e) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour No. S.R.O. 1380 dated the 4th July, 1953, namely:—

In the said notification, the following entry shall be added at the end namely:—

- |                                                                                               |   |                                                                                               |
|-----------------------------------------------------------------------------------------------|---|-----------------------------------------------------------------------------------------------|
| "(11) Shri R. S. Pande,<br>Agent,<br>The Tata Iron & Steel<br>Company Limited,<br>Jamshedpur. | } | Non-official member of the Central<br>Board of Trustees ordinarily<br>resident in the State". |
|-----------------------------------------------------------------------------------------------|---|-----------------------------------------------------------------------------------------------|

[No. 10(6)/60-PF.II.]

*New Delhi, the 29th April 1960*

**S.O. 1158.**—In pursuance of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby makes the following further

amendments in the notification of the Government of India in the Ministry of Labour No. S. R. O. 3381 dated the 2nd November, 1954, namely:—

In the said notification, for entries (4), (5), (8) and (9), the following entries shall be substituted, namely:—

- “(4) Shri M. V. Arunachalam, Honorary Secretary, Madras State Board of the A. I. M. O., Swastik House, Armenian Street, Madras-1”.
- “(5) Shri J. R. Henshaw, Mudis Group, Mudis Post Office, Via Pollachi”.
- “(8) Shri K. M. Sundaram, Secretary of the Tamilnad Trade Union Congress, Madras-1”.
- “(9) Shri C. K. Narayanan, Secretary, Madras Labour Union, 136, Strahans Road, Madras-12”.

[No. 10(7)/60-PF. II.]

**S.O. 1159.**—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st August, 1956, to the factory known as Messrs Associated Printers (Madras) Private Limited, Mount Road, Madras-2, there was in existence a provident fund common to the employees employed in the factory, to which the said Act applies, and the employees in their Branch Establishment situated at 17-A, Mahatma Gandhi Road, Bangalore;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the said Branch Establishment.

[No. PF.II. 7(5)/60.]

### CORRIGENDA

*New Delhi, the 27th April 1960*

**S.O. 1160.**—In the notification of the Government of India in the Ministry of Labour and Employment No. S. O. 1575 dated the 11th July, 1959, regarding ‘The Vizagapatam Dock Workers (Regulation of Employment) Scheme, 1959’ published at pages 1752—1774 of the Gazette of India, Part II Section 3(ii), dated the 11th July, 1959, in clause 1 of the Scheme, for the figures “1948” read “1959”.

[No. 179(1)/59-Fac.]

**S.O. 1161.**—In the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1310 dated the 6th June, 1959, regarding ‘The Cochin Dock Workers (Regulation of Employment) Scheme, 1959’ published at pages 1327—1348 of the Gazette of India, Part II Section 3(ii), dated the 6th June, 1959, in clause 1 of the Scheme, for the figures “1958” read “1959”.

[No. 180(2)/59-Fac.]

P. D. Gaiha, Under Secy.